

# HOUSE JOURNAL

**Second Regular Session of the Fifty-third Legislature**

**of the State of Oklahoma**

**Fifty-second Legislative Day, Monday, May 7, 2012**

The House was called to order by Speaker Steele.

The roll was called with 96 Members present.

The following Members were excused: Coody, Kouplen.—2.

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

The Speaker declared a quorum present.

Prayer was offered by Reverend Shawn Money, Muldrow First Assembly of God, Muldrow. Reverend Money was sponsored by Representative Bennett.

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

The Journal for the last legislative day was approved.

## **ENGROSSED AND ENROLLED MEASURES**

**HJR**s 1117, 1118, 1122 and 1123 were reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

**HB**s 2236 and 2578 were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

**HCR 1019** was reported correctly enrolled, properly signed, in open session, and ordered transmitted to the Honorable Senate.

**HRs 1053, 1055 and 1056** were reported correctly enrolled, properly signed, in open session, and ordered transmitted to the Secretary of State.

#### **MESSAGES FROM THE GOVERNOR**

Advising of her approval of **HBs 2090, 2419, 2587 and 3091** on May 4, 2012.

Advising of her veto of **HB 2669** on May 4, 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. **2669**

By: Dorman, et al of the House and McAffrey 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 **2669**.

House Bill **2669** removes recording requirements for cemetery plats. Currently, cemetery plats, as with other plats, are recorded in the county clerk's office. By removing recording requirements, this legislation takes away transparency and accountability in the system. Removal of recording requirements also decentralizes the cemetery platting system. This information is all currently held in one location – the county clerk's office. House Bill **2669** may create instances where the platting information is only available at funeral homes instead of the county clerk's office. This will create an inefficient and confusing system because the public will have to check multiple places for information that was previously held in one place.

House Bill **2669** also removes the county's reimbursement mechanism. Currently, the county clerk can assess a fee when the cemetery plat is recorded. This is typical of other plats recorded with the county clerks' office. This legislation places an unfunded mandate on the counties because it removes the county's ability to charge a fee for services they must still provide to the public.

House Bill **2669** is not consistent with my commitment to creating efficient and transparent government.

By the Governor of the State of Oklahoma

/s/ Mary Fallin

Advising of her veto of **HB 2903** on May 4, 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. **2903**

By: Morgan of the House and Wyrick 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 **2903**.

House Bill **2903** mandates reporting of nine-one-one emergency telephone service system information. Any governing body providing nine-one-one emergency telephone service must notify the secretary of the county election board if the service user has a change in address. This new information must then be provided to any county election board within the nine-one-one service area.

This notification system originated to provide information to emergency responders and law enforcement. In an emergency situation, it is necessary for personal information such as an individual's name and physical address to be readily available for emergency responders. However, House Bill **2903** makes an individual's nine-one-one emergency information available for public consumption and for purposes unrelated to the nine-one-one telephone service system because it allows any person in the public to utilize that information for their own purposes.

Moreover, this legislation will impact voter registration because it allows the secretary of the county election board to amend a voter's address without the voter's knowledge or approval.

House Bill **2903** is not consistent with the purpose of the nine-one-one emergency telephone service system.

By the Governor of the State of Oklahoma

/s/ Mary Fallin

Advising of her approval of **HBs 1910, 2643, 2902, 2925, 3000 and 3110** on May 7, 2012.

**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 134** – Conference Committee on Public Safety, Judiciary and Military Affairs
- SB 259** – Conference Committee on Insurance and Economic Development
- SB 456** – GCCA
- SB 1001** – Conference Committee on Insurance and Economic Development
- SB 1159** – GCCA
- SB 1192** – Conference Committee on Natural Resources
- SB 1230** – GCCA
- SB 1231** – GCCA
- SB 1232** – GCCA
- SB 1234** – GCCA
- SB 1235** – GCCA
- SB 1327** – Conference Committee on Natural Resources
- SB 1336** – GCCA
- SB 1355** – Conference Committee on Public Safety, Judiciary and Military Affairs
- SB 1398** – GCCA
- SB 1406** – Conference Committee on Public Safety, Judiciary and Military Affairs
- SB 1434** – GCCA
- SB 1436** – GCCA
- SB 1464** – GCCA
- SB 1480** – Conference Committee on General Government and Transportation
- SB 1520** – Conference Committee on Public Safety, Judiciary and Military Affairs
- SB 1525** – GCCA
- SB 1533** – GCCA
- SB 1535** – GCCA
- SB 1616** – Conference Committee on Insurance and Economic Development
- SB 1795** – GCCA
- SB 1816** – GCCA
- SJR 52** – Conference Committee on Government Modernization and Rules

**GENERAL ORDER**

**HJR 1127** by Jordan of the House and Newberry of the Senate was read and considered.

Representative Jordan moved that **HJR 1127** be advanced from General Order, which motion was declared adopted.

### **THIRD READING**

**HJR 1127** 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, Christian, Cockroft, Condit, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Enns, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Morgan, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Sanders, Schwartz, Sears, Shelton, Sherrer, Shoemake, Stiles, Terrill, Thomsen, Trebilcock, Vaughan, Virgin, Walker, Wesselhoft, Williams, Mr. Speaker.--84.

Excused: Blackwell, Coody, Hilliard, Key, Kirby, Kouplen, Moore, Osborn, Russ, Scott, Shannon, Shumate, Watson, Wright.--14.

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

The measure passed.

**HJR 1127** was referred for engrossment.

### **MESSAGE FROM THE SENATE**

Advising fourth reading of and transmitting for signature enrolled **SBs 46, 1182, 1439, 1443 and 1565**.

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

### **PENDING CONSIDERATION OF SAs**

**SAs to HB 2446** were called up for consideration.

Upon motion of Representative Quinn, the House concurred in the **SAs to HB 2446**.

**HB 2446**, 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, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Enns, Faught, Fourkiller, Glenn, Grau, Hall, Hardin, Hickman, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Liebmann, Lockhart, Martin (Scott), Martin (Steve),

McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNeil, McPeak, Moore, Morgan, Morrissette, Mulready, Murphey, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Proctor, Pruett, Quinn, Renegar, Richardson, 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, Wright, Mr. Speaker.--88.

Nay: Hamilton, Key, Reynolds, Ritze.--4.

Excused: Coody, Hilliard, Kouplen, Nelson, Pittman, Shumate.--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 2641** were called up for consideration.

Upon motion of Representative Denney, the House concurred in the **SAs to HB 2641**.

**HB 2641**, 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, Cannaday, Condit, Cooksey, Cox, Denney, DeWitt, Dorman, Glenn, Hamilton, Hickman, Inman, Jordan, Joyner, Kirby, Liebmann, Martin (Scott), McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNeil, McPeak, Morgan, Nelson, Ortega, Osborn, Ownbey, Peters, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Roberts (Dustin), Rousselot, Russ, Scott, Sears, Shannon, Shelton, Shoemake, Thomsen, Vaughan, Virgin, Walker, Watson, Williams, Wright, Mr. Speaker.--54.

Nay: Bennett, Brown, Brumbaugh, Casey, Christian, Cockroft, Derby, Enns, Faught, Grau, Hall, Hardin, Holland, Hoskin, Jackson, Johnson, Kern, Martin (Steve), Moore, Morrissette, Mulready, Murphey, Newell, Peterson, Quinn, Reynolds, Ritze, Roberts (Sean), Schwartz, Sherrer, Stiles, Terrill, Wesselhoft.--33.

Excused: Coody, Dank, Fourkiller, Hilliard, Key, Kouplen, Lockhart, Nollan, Sanders, Shumate, Trebilcock.--11.

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

The measure passed.

The roll was called on the emergency and resulted as follows:

Aye: Armes, Banz, Billy, Cannaday, Condit, Cooksey, Cox, Denney, DeWitt, Dorman, Glenn, Hamilton, Hickman, Inman, Jordan, Joyner, Kirby, Liebmann, Martin (Scott), McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNeil, Morgan, Nelson, Nollan, Ortega, Osborn, Ownbey, Peters, Proctor, Pruett, Renegar, Richardson, Roberts (Dustin), Rousselot, Scott, Sears, Shannon, Shoemake, Thomsen, Virgin, Watson, Wright, Mr. Speaker.--46.

Nay: Bennett, Brown, Brumbaugh, Casey, Cockroft, Derby, Enns, Faught, Grau, Hall, Hardin, Holland, Hoskin, Jackson, Johnson, Kern, Martin (Steve), Moore, Morrissette, Mulready, Murphey, Newell, Peterson, Quinn, Ritze, Roan, Roberts (Sean), Russ, Sanders, Shelton, Sherrer, Stiles, Terrill, Wesselhoft.--34.

Excused: Blackwell, Christian, Coody, Dank, Fourkiller, Hilliard, Key, Kouplen, Lockhart, McPeak, Pittman, Reynolds, Schwartz, Shumate, Trebilcock, Vaughan, Walker, Williams.--18.

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

The emergency failed.

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

## **MESSAGES FROM THE SENATE**

Transmitting the following measure, together with the conference committee report thereon, advising adoption of conference committee report and passage of measure as amended.

### **SB 243 (2nd CCR)**

Conference committee report was read on the above-numbered measure.

## **Returning enrolled measure**

Announcing that enrolled **HCR 1019** has been signed by the Presiding Officer of Senate, in open session.

The above measure was ordered filed with the Secretary of State.

**Returning enrolled measures**

Announcing that enrolled **HBs 2236** and **2578** 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.

**GENERAL ORDER**

**HJR 1126** by Armes of the House was read and considered.

Authored by Senator Anderson (principal Senate author)

Representative Armes moved that **HJR 1126** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**HJR 1126** 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, Cooksey, Denney, Derby, DeWitt, Dorman, Enns, Faught, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, Moore, Morgan, Morrisette, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Richardson, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Stiles, Terrill, Thomsen, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--83.

Nay: Bennett, Reynolds, Ritze.--3.

Excused: Coody, Cox, Dank, Fourkiller, Hilliard, Key, Kouplen, Lockhart, McPeak, Schwartz, Shumate, Trebilcock.--12.

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

The measure passed.

**HJR 1126** was referred for engrossment.

## **MESSAGES FROM THE SENATE**

Advising rejection of **HAs** to **SBs 1222, 1242, 1253, 1314, 1419, 1420** and **1890** and requesting conference thereon, the Senate naming conferees later.

### **Concurrence in HAs**

Announcing the concurrence of Senate in **HAs** to **SBs 1019, 1053, 1183, 1313, 1386, 1465, 1523, 1582, 1627** and **1628** and the passage of said measures, as amended thereby.

### **Conferees named**

Advising naming Senate Conferees as follows

**SB 1055** - Russell, Barrington, Treat, Sykes, Burrage, Garrison  
**SB 1320** - Brinkley, Stanislawski, Simpson, Brecheen, Garrison, Ivester  
**SB 1397** - GCCA  
**SB 1451** - GCCA  
**SB 1616** - Coates, Brown, Burrage, Anderson, Ballenger, Barrington  
**SB 1716** - GCCA  
**SB 1743** - Russell, Fields, Sykes, Treat, Burrage, Garrison

### **Conference granted**

Advising conference granted and the Senate naming conferees as follows:

**HB 2373** - Ballenger, Aldridge, Ivester, Crain, Coates, Barrington  
**HB 2579** - Brinkley, Fields, Barrington, Crain, Eason McIntyre, Ballenger  
**HB 2582** - Adelson, Jolley, Brinkley, Bingman, Schulz, Burrage  
**HB 3108** - Anderson, Stanislawski, Newberry, Allen, Paddack, Burrage  
**HB 3135** - Treat, Sykes, David, Crain, Burrage, Johnson (Constance)  
**HJR 1001** - Mazzei, Brinkley, Ford, Halligan, Adelson, Wilson

### **Conference granted, GCCA**

Advising conference granted on **HBs 2652, 2653, 2676, 2746, 2939, 3056, 3058, 3061, 3119, 3130, 3133** and **3136** and naming GCCA as Senate conferees.

**RESOLUTIONS**

The following were introduced and read:

**HCR 1039** – By Denney of the House and Halligan of the Senate.

A Concurrent Resolution congratulating the President and Congress on foresight in passing the Morrill Act of 1862; honoring them and renewing commitment to accessible higher education and the support of learning; and directing distribution.

**HCR 1040** – By Denney of the House and Halligan of the Senate.

A Concurrent Resolution congratulating the President and Congress on foresight in passing the Morrill Act of 1862; honoring them and renewing commitment to accessible higher education and the support of learning; and directing distribution.

**CCR SUBMITTED**

The conference committee report was read on the following measure:

**HB 2230**

Representative DeWitt moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 10:00 a.m., Tuesday, May 8, 2012, which was the order.

Pursuant to the motion of Representative DeWitt, the House was adjourned at 3:00 p.m., to reconvene Tuesday, May 8, 2012, at 10:00 a.m.