

# HOUSE JOURNAL

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

**of the State of Oklahoma**

**Fifty-ninth Legislative Day, Thursday, May 17, 2012**

The House was called to order by Speaker Steele.

The roll was called with 97 Members present.

The following Member was excused: Peters.—1.

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

The Speaker declared a quorum present.

Prayer was offered by Reverend Sam Steele, The Federated Church, Kingfisher. Reverend Steele was sponsored by Representative Sanders.

The Journal for the last legislative day was approved.

## **ENGROSSED AND ENROLLED MEASURES**

**HJR 1132** was reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

**HJR 1107** and **1111** were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

**HCR 1040** was reported correctly enrolled, properly signed, in open session, and ordered transmitted to the Honorable Senate.

**CONFEREES NAMED**

The Speaker named the same conferees on **SB 671** as follows:

**SB 671** – Conference Committee on Public Safety, Judiciary and Military Affairs

**CONFERENCE GRANTED**

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

**SB 929** – Conference Committee on Government Modernization and Rules

**FURTHER CONFERENCE GRANTED**

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

**SB 1887** – Conference Committee on Public Safety, Judiciary and Military Affairs

**PENDING CONSIDERATION OF CCR**

The **2nd CCR** on **HB 2921** was called up for consideration.

Upon motion of Representative Richardson, the **2nd CCR** on **HB 2921** was adopted.

**HB 2921**, as amended in conference, 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, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Enns, Faught, Fourkiller, Glenn, Grau, Hall, Hardin, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, Moore, Morgan, Morrisette, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, 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, Williams, Wright, Mr. Speaker.--89.

Nay: Reynolds.--1.

Excused: Christian, Hamilton, Hickman, Key, Kirby, McPeak, Peters, Wesselhoft.--8.

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

The measure and emergency passed.

**HB 2921**, together with the conference committee report thereon, was ordered transmitted to the Honorable Senate.

## **MOTION**

Representative DeWitt moved that the House stand in recess until 11:30 a.m., which was the order.

## **Speaker Pro Tempore Hickman Presiding**

## **MESSAGES FROM THE SENATE**

Announcing that enrolled **HCR 1040** 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 **HJR**s **1107** and **1111** 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.

## **Transmitting enrolled measure**

Advising fourth reading of and transmitting for signature enrolled **SB 1247**.

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

## **MOTION**

Representative DeWitt moved that the House stand in recess until 1:30 p.m., which was the order.

**Representative Armes Presiding****MESSAGE FROM THE SENATE**

Announcing the passage of the following engrossed measures.

**SCR 23** – By Marlatt of the Senate and Blackwell of the House.

A Concurrent Resolution approving the transfer of certain real and personal property under the jurisdiction of the Oklahoma Tourism and Recreation Commission to certain governmental entity; making the transfer subject to certain authority and requirements; and directing distribution.

**SCR 28** – By Allen of the Senate and Ritze of the House.

A Concurrent Resolution approving the transfer of certain real and personal property under the jurisdiction of the Oklahoma Tourism and Recreation Commission to certain governmental entity; making the transfer subject to certain authority and requirements; and directing distribution.

**SCR 42** – By Fields and Garrison of the Senate and DeWitt, Brown and Hoskin of the House.

A Concurrent Resolution authorizing the Board of Regents of the Northern Oklahoma College, acting on behalf of Northern Oklahoma College, to issue certain revenue bonds pursuant to Sections 4001 through 4018 of Title 70 of the Oklahoma Statutes; authorizing the Regional University System of Oklahoma, acting on behalf of Northeastern State University, to issue certain revenue bonds pursuant to Sections 4001 through 4018 of Title 70 of the Oklahoma Statutes; and directing distribution.

The measures were introduced and read.

**Transmitting CCRs**

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

**SB 259**

**SB 1001**

**SB 1588**

**SB 1617**

**SB 1743**

Conference committee reports were read on the above-numbered measures.

## Returning CCRs

Returning **HBs 2319, 2367** and **HB 3049**, Coauthored by Senator Branan together with conference committee reports thereon, advising adoption of conference committee reports and passage of measures as amended.

The above-numbered measures, as amended by the conference committee reports, were referred for enrollment.

## Returning engrossed measures

Announcing the passage of **HJR 1098, 1123** and **1126**.

The above-numbered measures were referred for enrollment.

## PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2689** was called up for consideration.

Coauthored by Representative(s) Bennett, Inman, Sherrer

Upon motion of Representative Joyner, the **CCR** on **HB 2689** was adopted.

**HB 2689**, as amended in conference, 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, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Enns, Faught, Fourkiller, Glenn, Grau, Hall, Hardin, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Liebmann, Lockhart, Martin (Steve), McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morgan, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peterson, Pittman, Proctor, Quinn, Reynolds, Richardson, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Scott, Sherrer, Shoemake, Stiles, Thomsen, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--82.

Excused: Cockroft, Condit, Hamilton, Hickman, Hilliard, Martin (Scott), Peters, Pruett, Renegar, Ritze, Schwartz, Sears, Shannon, Shelton, Shumate, Terrill.--16.

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

The measure and emergency passed.

**HB 2689**, together with the conference committee report thereon, was ordered transmitted to the Honorable Senate.

**RECONSIDERATION**

Representative Nelson moved to reconsider the vote whereby **HJR 1113** failed.

Representative Proctor raised a point of order as to whether it was proper for explanation to be offered in conjunction with a motion to reconsider, to which the Presiding Officer answered in the affirmative.

Representative Proctor moved to table the Nelson motion, which tabling motion failed of adoption upon roll call as follows:

Aye: Bennett, Cannaday, Dorman, Fourkiller, Glenn, Hilliard, Hoskin, Inman, Kouplen, Lockhart, McDaniel (Curtis), McPeak, Morgan, Morrisette, Murphey, Proctor, Reynolds, Roan, Rousselot, Scott, Shelton, Shoemake, Shumate, Trebilcock, Virgin, Wesselhoft, Williams.--27.

Nay: Armes, Banz, Billy, Brumbaugh, Casey, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Enns, Faught, Grau, Hardin, Holland, Johnson, Jordan, Joyner, Kern, Key, Liebmann, Martin (Steve), McCullough, McDaniel (Randy), McNiel, Moore, Mulready, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peterson, Quinn, Richardson, Roberts (Sean), Russ, Schwartz, Thomsen, Vaughan, Watson, Wright, Mr. Speaker.--46.

Excused: Blackwell, Brown, Christian, Cockroft, Condit, Hall, Hamilton, Hickman, Jackson, Kirby, Martin (Scott), McDaniel (Jeannie), Peters, Pittman, Pruett, Renegar, Ritze, Roberts (Dustin), Sanders, Sears, Shannon, Sherrer, Stiles, Terrill, Walker.--25.

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

Representative Nelson pressed his motion to reconsider the vote whereby **HJR 1113** failed, which motion failed of adoption upon roll call as follows:

Aye: Armes, Banz, Billy, Brumbaugh, Casey, Coody, Cooksey, Cox, Dank, Denney, DeWitt, Enns, Faught, Grau, Hall, Holland, Johnson, Jordan, Joyner, Kern, Liebmann, Martin (Steve), McCullough, McDaniel (Randy), McNiel, Moore, Mulready, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peterson, Quinn, Richardson, Roberts (Dustin), Rousselot, Russ, Schwartz, Thomsen, Vaughan, Watson, Wright, Mr. Speaker.--45.

Nay: Blackwell, Cannaday, Derby, Dorman, Glenn, Hardin, Hilliard, Hoskin, Inman, Key, Kouplen, Lockhart, McDaniel (Curtis), McPeak, Morgan, Morrisette, Murphey, Proctor, Reynolds, Roan, Roberts (Sean), Scott, Shelton, Sherrer, Shoemake, Stiles, Trebilcock, Wesselhoft, Williams.--29.

Excused: Bennett, Brown, Christian, Cockroft, Condit, Fourkiller, Hamilton, Hickman, Jackson, Kirby, Martin (Scott), McDaniel (Jeannie), Peters, Pittman, Pruett, Renegar, Ritze, Sanders, Sears, Shannon, Shumate, Terrill, Virgin, Walker.--24.

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

**Representative Denney Presiding**

**GENERAL ORDER**

**SJR 91** by Paddack et al of the Senate and Virgin of the House was read and considered.

Representative Virgin moved that **SJR 91** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**SJR 91** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Banz, Blackwell, Brown, Cannaday, Casey, Coody, Cooksey, Cox, DeWitt, Dorman, Enns, Fourkiller, Glenn, Hardin, Hilliard, Hoskin, Inman, Johnson, Jordan, Joyner, Kouplen, Liebmann, Lockhart, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McNiel, McPeak, Morgan, Morrissette, Mulready, Ortega, Osborn, Peterson, Proctor, Quinn, Richardson, Roan, Roberts (Dustin), Rousselot, Sanders, Scott, Shelton, Sherrer, Shoemake, Thomsen, Trebilcock, Vaughan, Virgin, Walker, Watson, Williams, Mr. Speaker.--53.

Nay: Brumbaugh, Dank, Denney, Derby, Faught, Grau, Hall, Holland, Kern, Key, McDaniel (Randy), Moore, Murphey, Nelson, Newell, Reynolds, Roberts (Sean), Russ, Schwartz, Wesselhoft.--20.

Excused: Armes, Bennett, Billy, Christian, Cockroft, Condit, Hamilton, Hickman, Jackson, Kirby, Martin (Scott), Martin (Steve), Nollan, Ownbey, Peters, Pittman, Pruett, Renegar, Ritze, Sears, Shannon, Shumate, Stiles, Terrill, Wright.--25.

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

The measure passed.

Representative Reynolds served notice to reconsider the vote whereby **SJR 91** passed.

**MESSAGES FROM THE SENATE**

Advising naming GCCA as Senate Conferees as follows:

**SB 1847**

**Conference granted**

Advising conference granted and the Senate naming conferees as follows:

**HB 1468** - Ballenger, Johnson (Rob), Barrington, Garrison, Schulz, Coates

**FIRST READING**

The following were introduced and read for the first time:

**HB 3160** – By Sears and Martin (Scott) of the House and Jolley and Justice of the Senate.

An Act relating to the State Department of Rehabilitation Services; requiring budgeting in certain categories and amounts; providing for exemptions from certain expenditure limitations; providing for duties and compensation of employees; limiting the salary of the Director; providing budgetary limitation; and providing an effective date.

**HJR 1134** – By Billy.

A Joint Resolution approving permanent rule of the Board of Medicolegal Investigations; and directing distribution.

**CCRs SUBMITTED**

The conference committee reports were read on the following measures:

**HB 1985**, Coauthored by Representative(s) Scott

**HB 2198**

**HB 2300**

**HB 2306**

**HB 2396**

**HB 2510**

**HB 2582**, Coauthored by Representative(s) Scott

**HB 2646**

**HB 2647**

**HB 2683**

**HB 2736**

**HB 2787**

**HB 3134**, Coauthored by Representative(s) Scott

Representative DeWitt moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 10:00 a.m., Friday, May 18, 2012, which motion was declared adopted upon a division of the question.

Pursuant to the motion of Representative DeWitt, the House was adjourned at 3:50 p.m., to reconvene Friday, May 18, 2012, at 10:00 a.m.