

HOUSE JOURNAL

First Regular Session of the Fifty-fourth Legislature

of the State of Oklahoma

Forty-sixth Legislative Day, Tuesday, April 23, 2013

The House was called to order by Speaker Pro Tempore Jackson.

The roll was called with 101 Members present.

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Pastor Hosea Valesquez, Journey Church, Sallisaw.
Pastor Valesquez was sponsored by Representative Bennett.

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HAs to SBs 235, 332, 374, 418, 503, 519, 557, 574, 582, 587, 639, 792, 911, 931, 951, 954, 971, 1013 and 1040 were reported correctly engrossed, properly signed, in open session, and the measures, as amended, were ordered returned to the Honorable Senate.

HBs 1010, 1243, 1294, 1355, 1882, 2000 and 2217 were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

SECOND READING

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

HJR 1066 – Administrative Rules, Government Oversight and Repealer

GENERAL ORDER

SB 501 by Simpson et al of the Senate and Ownbey et al of the House was read and considered.

Coauthored by Representative(s) McDaniel (Jeannie), Sherrer

Representative Reynolds moved to amend **SB 501**, Page 3, Section 1, Line 5 by deleting the new language “and other properties”.

Representative Ownbey moved to table the Reynolds amendment, which tabling motion was declared adopted.

Representative Ownbey moved that **SB 501** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 501 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Biggs, Billy, Brown, Cannaday, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Floyd, Grau, Hall, Hardin, Henke, Hickman, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kirby, Lockhart, Martin (Scott), Martin (Steve), Matthews, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, Moore, Morrissette, Mulready, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Proctor, Pruett, Quinn, Roberts (Dustin), Rousselot, Russ, Sanders, Schwartz, Sears, Shelton, Sherrer, Smalley, Stiles, Turner, Vaughan, Virgin, Walker, Watson, Williams, Wood, Wright, Mr. Speaker.--76.

Nay: Bennett, Blackwell, Brumbaugh, Casey, Fisher, Glenn, Kern, Kouplén, McPeak, Murphey, Reynolds, Ritze, Shoemake, Wesselhoft.--14.

Excused: Christian, Enns, Fourkiller, Hamilton, McBride, Pittman, Renegar, Roberts (Sean), Scott, Thomsen, Trebilcock.--11.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 501** and ordered same returned to the Honorable Senate.

GENERAL ORDER

SB 678 by Sparks of the Senate and Cleveland of the House was read and considered.

Representative Cleveland moved that **SB 678** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 678 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Biggs, Billy, Brown, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hardin, Henke, Hickman, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplun, Lockhart, Martin (Scott), Martin (Steve), Matthews, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morrisette, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Proctor, Pruett, Quinn, Renegar, Ritze, Roberts (Dustin), Rousselot, Russ, Sanders, Schwartz, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--91.

Excused: Blackwell, Enns, Hamilton, McBride, Pittman, Reynolds, Roberts (Sean), Scott, Thomsen, Trebilcock.--10.

The measure passed.

SB 678 was referred for engrossment.

GENERAL ORDER

SB 237 by Simpson et al of the Senate and Hardin of the House was read and considered.

Representative Hardin moved that **SB 237** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 237 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, Biggs, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hardin, Hickman, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Martin (Scott), Martin (Steve), McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiell, McPeak, Moore, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Proctor, Pruett, Quinn, Renegar, Reynolds, Ritze, Roberts (Dustin), Rousselot, Russ, Sanders, Schwartz, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Turner, Vaughan, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--87.

Excused: Christian, Echols, Enns, Hamilton, Henke, Lockhart, Matthews, McBride, Pittman, Roberts (Sean), Scott, Thomsen, Trebilcock, Virgin.--14.

The measure and emergency passed.

The Presiding Officer signed, in open session, Engrossed **SB 237** and ordered same returned to the Honorable Senate.

GENERAL ORDER

SB 925 by Marlatt of the Senate and Newell of the House was read and considered.

Representative Brown moved to amend **SB 925** by inserting a new Section 1 to read as follows, and by renumbering subsequent sections:

“SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 11-901d of Title 47, unless there is created a duplication in numbering, reads as follows:

A. It shall be unlawful for any person to use an electronic communication device to converse, write, send or read a text-based communication while operating a motor vehicle within a school zone, within a repair, maintenance or construction zone or within five hundred (500) feet of an intersection, unless the electronic communication device is used with a hands-free device.

B. Any person who violates the provisions of this section shall, upon conviction, be guilty of a misdemeanor punishable by a fine of Five Hundred Dollars (\$500.00), or by imprisonment in the county jail for a term not to exceed thirty (30) days, or by both such fine and imprisonment.

C. The provisions of this section shall not apply to:

1. An operator of an authorized emergency vehicle using an electronic communication device while acting in an official capacity; or

2. An operator who is licensed by the Federal Communications Commission while operating a radio frequency device other than an electronic communication device.

D. As used in this section:

1. "Electronic communication device" means an electronic device including, but not limited to, a wireless cellular telephone, personal digital assistant or a portable or mobile computer while being used for the purpose of making or receiving telephone calls, composing, reading or sending an electronic message, but does not include a global positioning system or navigation system or a device that is physically or electronically integrated into the motor vehicle;

2. "Electronic message" means a self-contained piece of digital communication that is designed or intended to be transmitted between physical devices and includes, but is not limited to, electronic mail, a text message, an instant message or a command or request to access an Internet site;

3. "Hands-free device" means speakerphone capability or a telephone attachment or other piece of equipment, regardless of whether permanently installed in the motor vehicle, that allows use of the electronic communication device without use of either of the hands of the operator;

4. "Intersection" shall have the same meaning as such term is defined in Section 1-126 of Title 47 of the Oklahoma Statutes;

5. "Repair", "maintenance" or "construction zone" means any location where repair, maintenance or construction work is actually in progress and workers are present; and

6. "School zone" means any portion of a road, street or highway that is a properly marked school zone, as indicated with appropriate warning signs placed in accordance with the latest edition of the Manual on Uniform Traffic Control Devices, and properly posted signage that provides for a reduced speed limit."

Representative Newell asked a ruling of the Presiding Officer whether the Brown amendment is germane to **SB 925**.

The Presiding Officer ruled the point well taken and the amendment nongermane.

Representative Inman moved to suspend House Rule 8.11 for the purpose of allowing consideration of the Brown amendment, which motion failed of adoption upon roll call as follows:

Aye: Brown, Cannaday, Condit, Cox, Dank, Dorman, Floyd, Fourkiller, Glenn, Hickman, Hoskin, Inman, Kouplen, Martin (Steve), Matthews, McDaniel (Curtis), McDaniel (Jeannie), McPeak, Nollan, Perryman, Proctor, Pruett, Renegar, Rousselot, Shelton, Sherrer, Shoemake, Virgin, Williams.--29.

Nay: Armes, Banz, Bennett, Biggs, Billy, Blackwell, Brumbaugh, Christian, Cleveland, Cockroft, Coody, Denney, Derby, DeWitt, Echols, Enns, Fisher, Grau, Hall, Hardin, Henke, Hulbert, Jackson, Johnson, Jordan, Joyner, Martin (Scott), McBride, McCall, McCullough, McDaniel (Randy), Moore, Mulready, Murphey, Nelson, Newell, O'Donnell, Ortega, Osborn, Ownbey, Peterson, Quinn, Roberts (Sean), Sanders, Schwartz, Sears, Turner, Vaughan, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--53.

Excused: Casey, Cooksey, Hamilton, Kern, Kirby, Lockhart, McNiel, Morrissette, Pittman, Reynolds, Ritze, Roberts (Dustin), Russ, Scott, Smalley, Stiles, Thomsen, Trebilcock, Walker.--19.

Representative Newell moved that **SB 925** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 925 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Biggs, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Enns, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hardin, Henke, Hickman, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kouplen, Martin (Scott), Martin (Steve), Matthews, McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McPeak, Moore, Morrissette, Mulready, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Proctor, Pruett, Quinn, Renegar, Roberts (Dustin), Roberts (Sean), Rousselot, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--90.

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

Excused: Christian, Hamilton, Kirby, Lockhart, McNiel, Pittman, Russ, Trebilcock.--8.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 925** and ordered same returned to the Honorable Senate.

Representative Denney Presiding

GENERAL ORDER

SB 759 by Sykes et al of the Senate and Coody of the House was read and considered.

Coauthored by Representative(s) Bennett

Representative Coody moved to amend **SB 759**, Page 3, Section 2, Lines 17-20 by deleting all of Paragraph 3 and by inserting in lieu thereof a new Paragraph 3 to read as follows:

“3. The student will be residing with a relative of the student who lives in the receiving school district or who will be living in the receiving school district within six (6) months of the filing of the application for transfer.”,

which amendment was declared adopted.

Representative Cleveland moved to suspend House Rule 8.6 for the purpose of allowing consideration of an untimely filed floor amendment.

After the vote was ordered and in progress on the Cleveland motion to suspend House Rules, Representative Sherrer raised a point of inquiry as to whether the member offering the motion to suspend House Rules would have been afforded an opportunity to explain the underlying purpose of his motion prior to consideration by the House of the motion to suspend House Rules.

The Presiding Officer responded in the affirmative and stated that the Sherrer point of inquiry could be raised upon conclusion of the present vote.

The Cleveland motion to suspend House Rules failed of adoption upon roll call as follows:

Aye: Blackwell, Cleveland, Dank, Dorman, Echols, Fisher, Hoskin, Hulbert, McCall, O'Donnell, Perryman, Pruett, Renegar, Reynolds, Ritze, Stiles, Turner, Wood.--18.

Nay: Armes, Banz, Brumbaugh, Casey, Cockroft, Coody, Cooksey, Denney, Derby, DeWitt, Floyd, Glenn, Hall, Hickman, Inman, Johnson, Jordan, Joyner, Kern, Kouplen, Martin (Scott), Martin (Steve), McBride, McCullough, McDaniel (Curtis), McDaniel (Randy), McNeil, McPeak, Mulready, Murphey, Nelson, Newell, Ortega, Osborn, Peterson, Proctor, Quinn, Roberts (Dustin), Rousselot, Russ, Sanders, Schwartz, Shelton, Sherrer, Thomsen, Virgin, Wright, Mr. Speaker.--48.

Excused: Bennett, Biggs, Billy, Brown, Cannaday, Christian, Condit, Cox, Enns, Fourkiller, Grau, Hamilton, Hardin, Henke, Jackson, Kirby, Lockhart, Matthews, McDaniel (Jeannie), Moore, Morrissette, Nollan, Ownbey, Pittman, Roberts (Sean), Scott, Sears, Shoemake, Smalley, Trebilcock, Vaughan, Walker, Watson, Wesselhoft, Williams.--35.

Representative Coody moved that **SB 759** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 759 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Bennett, Biggs, Billy, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Enns, Fisher, Floyd, Glenn, Grau, Hall, Hardin, Henke, Hickman, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Martin (Scott), Martin (Steve), Matthews, McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNeil, McPeak, Moore, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Proctor, Pruett, Quinn, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Scott, Sears, Shelton, Sherrer,

Shoemake, Smalley, Stiles, Thomsen, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--88.

Nay: Reynolds, Ritze.--2.

Excused: Banz, Blackwell, Cleveland, Fourkiller, Hamilton, Lockhart, Morrissette, Pittman, Renegar, Schwartz, Trebilcock.--11.

The measure passed.

SB 759 was referred for engrossment.

GENERAL ORDER

SB 406 by Anderson of the Senate and Hickman of the House was read and considered.

Representative McDaniel (Curtis) moved to amend **SB 406** by inserting a new Section 2 to read as follows, and by renumbering subsequent section:

“SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 11-901d of Title 47, unless there is created a duplication in numbering, reads as follows:

A. It shall be unlawful for a driver to operate a motor vehicle on any street or highway within this state while using a cellular telephone or electronic communication device to write, send, or read a text-based communication while the motor vehicle is in motion.

B. Any person who violates the provisions of subsection A of this section shall, upon conviction, be guilty of a misdemeanor punishable by a fine of Five Hundred Dollars (\$500.00).”

Representative Sherrer moved to put the previous question, which motion failed of adoption upon roll call as follows:

Aye: Armes, Billy, Brown, Cannaday, Condit, Cox, Denney, DeWitt, Dorman, Floyd, Glenn, Henke, Hickman, Hoskin, Hulbert, Inman, Joyner, Kouplen, Matthews, McDaniel (Curtis), McDaniel (Jeannie), McPeak, Morrissette, Perryman, Proctor, Pruett, Renegar, Rousselot, Scott, Shelton, Sherrer, Shoemake, Smalley, Virgin, Williams.--35.

Nay: Banz, Bennett, Biggs, Brumbaugh, Casey, Christian, Cleveland, Cockroft, Coody, Cooksey, Dank, Derby, Echols, Enns, Fisher, Grau, Hall, Hardin, Jackson, Johnson, Jordan, Kern, Kirby, Martin (Scott), Martin (Steve), McBride, McCall, McCullough, McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Peterson, Quinn, Ritze, Roberts (Sean), Russ, Sanders, Sears, Stiles, Turner, Vaughan, Wesselhoft, Wood, Wright, Mr. Speaker.--54.

Excused: Blackwell, Fourkiller, Hamilton, Lockhart, Pittman, Reynolds, Roberts (Dustin), Schwartz, Thomsen, Trebilcock, Walker, Watson.--12.

Representative McDaniel (Curtis) pressed adoption of the amendment.

Representative Cockroft moved to table the McDaniel (Curtis) amendment, which tabling motion was declared adopted upon roll call as follows:

Aye: Armes, Banz, Bennett, Biggs, Brumbaugh, Casey, Christian, Cleveland, Cockroft, Cox, Derby, Echols, Fisher, Grau, Hall, Jackson, Johnson, Jordan, Kern, Martin (Scott), McBride, McCall, McCullough, McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Nelson, Newell, Osborn, Peterson, Quinn, Ritze, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Schwartz, Sears, Shelton, Stiles, Turner, Vaughan, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--49.

Nay: Billy, Brown, Cannaday, Condit, Coody, Dank, Denney, DeWitt, Dorman, Enns, Floyd, Glenn, Hamilton, Henke, Hickman, Hoskin, Hulbert, Inman, Joyner, Kouplun, Matthews, McDaniel (Curtis), McDaniel (Jeannie), McPeak, Morrissette, Nollan, Perryman, Proctor, Pruett, Renegar, Rousselot, Scott, Sherrer, Shoemake, Smalley, Virgin, Williams.--37.

Excused: Blackwell, Cooksey, Fourkiller, Hardin, Kirby, Lockhart, Martin (Steve), O'Donnell, Ortega, Ownbey, Pittman, Reynolds, Thomsen, Trebilcock, Walker.--15.

Representative Kouplun moved to suspend House Rule 8.6 for the purpose of allowing consideration of an untimely filed floor amendment, which motion failed of adoption upon roll call as follows:

Aye: Armes, Billy, Brown, Cannaday, Condit, Cooksey, Dank, Denney, DeWitt, Dorman, Enns, Floyd, Glenn, Hamilton, Hardin, Henke, Hickman, Hoskin, Hulbert, Inman, Kouplun, Martin (Steve), Matthews, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McPeak, Morrissette, Nelson, Ownbey, Perryman, Peterson, Proctor, Pruett, Quinn, Renegar, Reynolds, Rousselot, Scott, Sears, Sherrer, Shoemake, Stiles, Virgin, Watson, Wesselhoft, Williams.--47.

Nay: Banz, Bennett, Biggs, Blackwell, Brumbaugh, Casey, Christian, Cleveland, Cockroft, Coody, Derby, Echols, Fisher, Grau, Hall, Jackson, Johnson, Jordan, Joyner, Kern, Martin (Scott), McCall, McCullough, McNiel, Moore, Mulready, Murphey, Newell, O'Donnell, Osborn, Ritze, Roberts (Sean), Russ, Sanders, Smalley, Turner, Vaughan, Walker, Wood, Wright, Mr. Speaker.--41.

Excused: Cox, Fourkiller, Kirby, Lockhart, McBride, Nollan, Ortega, Pittman, Roberts (Dustin), Schwartz, Shelton, Thomsen, Trebilcock.--13.

Representative Hickman moved that **SB 406** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 406 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, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, DeWitt, Enns, Fisher, Floyd, Glenn, Grau, Hall, Henke, Hickman, Hoskin, Hulbert, Jackson, Johnson, Jordan, Kern, Kirby, Martin (Scott), Martin (Steve), Matthews, McBride, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Perryman, Pruett, Quinn, Ritze, Roberts (Sean), Russ, Sanders, Schwartz, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--72.

Nay: Biggs, Blackwell, Brown, Cannaday, Derby, Dorman, Echols, Hamilton, Hardin, Inman, Joyner, Lockhart, McCall, McCullough, Morrissette, O'Donnell, Proctor, Renegar, Roberts (Dustin), Rousselot, Scott, Turner, Williams.--23.

Excused: Fourkiller, Kouplen, Peterson, Pittman, Reynolds, Trebilcock.--6.

The measure passed.

SB 406 was referred for engrossment.

GENERAL ORDER

SB 655 by Mazzei et al of the Senate and Jordan of the House was read and considered.

Coauthored by Representative(s) Mulready

Representative Jordan moved to amend **SB 655**, Page 8, Section 1, Line 1 by striking the words "in the vicinity"; Line 2 by striking the first occurrence of the word "Yale" and by adding in lieu thereof the word "Delaware"; and Line 2 by striking the words "South Yale Place", which amendment was declared adopted.

Representative Blackwell raised a point of order stating that **SB 655** was in violation of House Rule 6.10.

The Presiding Officer stated that it is the precedent of the House that questions pertaining to the constitutionality of a measure will be left up to the Judiciary and would not be addressed by the Presiding Officer. As such, the point was not well taken.

Representative Jordan moved that **SB 655** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 655 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, Biggs, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Fisher, Floyd, Fourkiller, Grau, Hall, Hamilton, Hardin, Henke, Hickman, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kirby, Kouplen, Lockhart, Martin (Scott), Martin (Steve), Matthews, McBride, McCall, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, Moore, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Peterson, Pittman, Proctor, Pruett, Quinn, Ritze, Roberts (Dustin), Roberts (Sean), Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--89.

Nay: Glenn, McPeak, Renegar, Reynolds, Rousselot.--5.

Excused: Echols, Enns, Kern, McDaniel (Curtis), Perryman, Russ, Trebilcock.--7.

The measure and emergency passed.

SB 655 was referred for engrossment.

MESSAGES FROM THE SENATE

Advising fourth reading of and transmitting for signature Enrolled **SBs 280, 461, 621, 848, 854, 889, 928, 1031, 1090** and **SJR 4**.

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

Transmitting engrossed measures

Announcing the passage of **SCRs 9, 15** and **20**.

The measures were introduced and read.

SCR 9 – By Johnson (Constance), Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Boggs, Branam, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (Rob), Jolley, Justice, Loveless, Marlatt, Mazzei, McAffrey, Newberry, Paddock, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick of the Senate and Shelton of the House.

A Concurrent Resolution congratulating the Millwood High School boys basketball team, Class 3A State Champions; acknowledging their success and dedication; and directing distribution.

SCR 15 – By Johnson (Constance), Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (Rob), Jolley, Justice, Loveless, Marlatt, Mazzei, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick of the Senate and Pittman of the House.

A Concurrent Resolution congratulating the Frederick A. Douglass High School boys basketball team, 2012-2013 Class 4A State Champions; acknowledging their accomplishments and perseverance; and directing distribution.

SCR 20 – By Bingman and Fields of the Senate and O'Donnell of the House.

A Concurrent Resolution encouraging appropriate maintenance and enhancement to ensure the continued viability and reliability of the McClellan-Kerr Arkansas River Navigation System; and directing distribution.

Returning engrossed measures, as amended

Announcing the passage of and returning engrossed measures as amended: **HBs 1303, 1477**, Remove Representative Murphey as principal House author and substitute with Representative Turner and Coauthored by Representative Murphey, **1660, 1742, 1942**, Remove Senator Simpson as principal Senate author and substitute with Senator Allen and Coauthored by Senators Simpson, Boggs, Brooks, Dahm, **2077, 2131**, Coauthored by Representative Cox (emergency failed) and **2228**.

Senate amendments were read on the above-numbered measures.

Returning engrossed measure

Announcing the passage of **HJR 1023**, Coauthored by Senator Ivester.

The above-numbered measure was referred for enrollment.

MOTION

Representative Grau moved that the House stand in recess until 1:00 p.m., which was the order.

Representative Murphey Presiding

MOTION

Representative Peterson moved that the House stand in recess until 1:25 p.m., which was the order.

Representative Murphey Presiding

GENERAL ORDER

SB 1016 by Crain of the Senate and Osborn of the House was read and considered.

Representative Osborn moved that **SB 1016** be advanced from General Order, which motion was declared adopted upon a division of the question.

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, Biggs, Billy, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Enns, Fisher, Floyd, Fourkiller, Grau, Hall, Hamilton, Hardin, Hulbert, Jackson, Johnson, Jordan, Kern, Kirby, Kouplen, Martin (Scott), Martin (Steve), Matthews, McBride, McCall, McCullough, McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Nelson, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Roberts (Dustin), Roberts (Sean), Sanders, Schwartz, Scott, Sears, Smalley, Stiles, Trebilcock, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--79.

Nay: Brown, Glenn, Hoskin, McDaniel (Curtis), McDaniel (Jeannie), McPeak, Morrissette, Reynolds, Ritze, Shelton, Sherrer, Shoemake.--12.

Excused: Blackwell, Henke, Hickman, Inman, Joyner, Lockhart, Newell, Rousselot, Russ, Thomsen.--10.

The measure passed.

SB 1016 was referred for engrossment.

GENERAL ORDER

SB 907 by Treat et al of the Senate and Osborn of the House was read and considered.

Coauthored by Representative(s) Turner

Representative Osborn moved to amend **SB 907**, Page 2, Line 19 by inserting after the period "." the language "To the extent that sufficient funds are available, the State Auditor and Inspector may conduct a performance audit in conformance with Section 212 of this title."; by deleting all language beginning with the capitalized word "The" on Line 19

through the period “.” on Line 21; Page 3, by inserting a new subsection F to read as follows:

“F. There is hereby created in the State Treasury a revolving fund for the Office of the State Auditor and Inspector to be designated the “State Government Performance Accountability Fund.” The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of monies appropriated or otherwise provided by the Legislature for the purpose of providing funds for the State Auditor and Inspector to conduct such audits as recommended by the Joint Legislative Committee on Accountability.”;

and by inserting new Sections 2 and 3, and renumbering subsequent section, which amendment was declared adopted.

Representative Inman moved to amend **SB 907**, Page 2, Section 1, Line 2 by adding after the word “appointees” the language “which reflect the approximate partisan composition of the House of Representatives, and”; Line 5 by adding after the word “appointees” the language “which reflect the approximate partisan composition of the Senate, and”; and Line 10 by striking the language “but shall be allowed travel reimbursement as provided by state law”, which amendment was declared adopted.

Representative Osborn moved that **SB 907** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 907 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Biggs, Billy, Brown, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Enns, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Hoskin, Hulbert, Jackson, Johnson, Jordan, Joyner, Kern, Kouplen, Lockhart, Martin (Scott), Martin (Steve), Matthews, McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Mulready, Murphey, Nelson, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shelton, Shoemake, Trebilcock, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--87.

Nay: Hardin, Morrissette, Reynolds, Sherrer, Williams.--5.

Excused: Blackwell, Henke, Hickman, Inman, Kirby, Newell, Smalley, Stiles, Thomsen.--9.

The measure passed.

SB 907 was referred for engrossment.

GENERAL ORDER

SB 667 by Standridge et al of the Senate and Echols et al of the House was read and considered.

Coauthored by Representative(s) Biggs, Kern, Bennett, Ownbey, Russ, Roberts (Dustin), O'Donnell, Cockroft

Coauthored by Senator(s) Sharp

Representative Echols moved to amend **SB 667**, Page 3, Section 1, Lines 3-8 by deleting subsection C in its entirety and relettering subsequent subsections, which amendment was declared adopted.

Representative Echols moved to amend **SB 667** by restoring the title, which amendment was declared adopted.

Representative Echols moved that **SB 667** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 667 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, Biggs, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Enns, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Henke, Hickman, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplun, Lockhart, Martin (Scott), Martin (Steve), Matthews, McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morrisette, Mulready, Murphey, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--97.

Excused: Christian, Nelson, Thomsen, Turner.--4.

The measure and emergency passed.

SB 667 was referred for engrossment.

GENERAL ORDER

SB 847 by Jolley et al of the Senate and Martin (Scott) of the House was read and considered.

Coauthored by Representative(s) Mulready, Sherrer, Hoskin

Representative Inman moved to amend **SB 847** by inserting a new Section 2 to read as follows, and renumbering subsequent sections.

“SECTION 2. AMENDATORY 62 O.S. 2011, Section 3103, is amended to read as follows:

Section 3103. As used in the Oklahoma Pension Legislation Actuarial Analysis Act:

1. “Amendment” means any amendment, including a substitute bill, made to a retirement bill by any committee of the House or Senate, any conference committee of the House or Senate or by the House or Senate;
2. “RB number” means that number preceded by the letters “RB” assigned to a retirement bill by the respective staffs of the Oklahoma State Senate and the Oklahoma House of Representatives when the respective staff office prepares a retirement bill for a member of the Legislature;
3. “Legislative Actuary” means the firm or entity that enters into a contract with the Legislative Service Bureau pursuant to Section 452.15 of Title 74 of the Oklahoma Statutes to provide the actuarial services and other duties provided for in the Oklahoma Pension Legislation Actuarial Analysis Act;
4. “Nonfiscal amendment” means an amendment to a retirement bill having a fiscal impact, which amendment does not change any factor of an actuarial investigation specified in subsection A of Section 3109 of this title;
5. “Nonfiscal retirement bill” means a retirement bill which does not affect the cost or funding factors of a retirement system or a retirement bill which affects such factors only in a manner which does not:
 - a. grant a benefit increase under the retirement system affected by the bill, except for cost-of-living adjustments provided to retirees of the retirement system, if the funded status of the retirement system is equal to or greater than ninety percent (90%) after the cost-of-living adjustment has been granted. As used in this subparagraph, “funded status” shall mean the ratio obtained by dividing the actuarial value of retirement system assets by the retirement system actuarial accrued liability,
 - b. create an actuarial accrued liability for or increase the actuarial accrued liability of the retirement system affected by the bill, or
 - c. increase the normal cost of the retirement system affected by the bill except as otherwise provided by subparagraph a of this paragraph.

A nonfiscal retirement bill shall include any retirement bill that has as its sole purpose the appropriation or distribution or redistribution of monies in some manner to a retirement system for purposes of reducing the unfunded liability of such system or the earmarking of a portion of the revenue from a tax to a retirement system or increasing the percentage of the revenue earmarked from a tax to a retirement system.;

6. "Reduction in cost amendment" means an amendment to a retirement bill having a fiscal impact which reduces the cost of the bill as such cost is determined by the actuarial investigation for the bill prepared pursuant to Section 3109 of this title;

7. "Retirement bill" means any bill or joint resolution introduced or any bill or joint resolution amended by a member of the Oklahoma Legislature which creates or amends any law directly affecting a retirement system. A retirement bill shall not mean a bill or resolution that impacts the revenue of any state tax in which a portion of the revenue generated from such tax is earmarked for the benefit of a retirement system;

8. "Retirement bill having a fiscal impact" means any retirement bill creating or establishing a retirement system and any other retirement bill other than a nonfiscal retirement bill; and

9. "Retirement system" means the Teachers' Retirement System of Oklahoma, the Oklahoma Public Employees Retirement System, the Uniform Retirement System for Justices and Judges, the Oklahoma Firefighters Pension and Retirement System, the Oklahoma Police Pension and Retirement System, the Oklahoma Law Enforcement Retirement System, or a retirement system established after January 1, 2006."

Representative Martin (Scott) moved to table the Inman amendment, which tabling motion was declared adopted upon roll call as follows:

Aye: Armes, Banz, Bennett, Biggs, Billy, Blackwell, Brumbaugh, Casey, Cleveland, Cockroft, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Echols, Enns, Fisher, Grau, Hall, Hickman, Hulbert, Jackson, Johnson, Jordan, Kern, Martin (Scott), Martin (Steve), McBride, McCall, McCullough, McDaniel (Randy), Moore, Mulready, Murphey, Newell, Nollan, O'Donnell, Osborn, Ownbey, Peterson, Roberts (Sean), Russ, Sears, Smalley, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--57.

Nay: Brown, Cannaday, Condit, Dorman, Floyd, Fourkiller, Glenn, Hamilton, Hoskin, Inman, Kouplen, Lockhart, Matthews, McDaniel (Curtis), McDaniel (Jeannie), McPeak, Morrisette, Perryman, Pittman, Proctor, Pruett, Renegar, Rousselot, Scott, Shelton, Sherrer, Shoemake, Virgin, Williams.--29.

Excused: Christian, Hardin, Henke, Joyner, Kirby, McNiel, Nelson, Ortega, Quinn, Reynolds, Ritze, Roberts (Dustin), Sanders, Schwartz, Walker.--15.

Representative Martin (Scott) moved that **SB 847** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 847 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Biggs, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Enns, Floyd, Fourkiller, Glenn, Grau, Hall, Hardin, Henke,

Hickman, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Martin (Steve), Matthews, McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Virgin, Watson, Wood, Wright, Mr. Speaker.--87.

Nay: Bennett, Fisher, Hamilton, Hulbert, McPeak, Morrissette, Renegar, Reynolds, Ritze, Shelton, Wesselhoft, Williams.--12.

Excused: Roberts (Dustin), Walker.--2.

The measure passed.

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

Aye: Armes, Banz, Biggs, Billy, Brumbaugh, Casey, Christian, Cleveland, Cockroft, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Echols, Enns, Hall, Henke, Jackson, Kern, Kouplen, Martin (Scott), Martin (Steve), McBride, McCall, McCullough, McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Ownbey, Peterson, Rousselot, Russ, Sanders, Schwartz, Sears, Shoemake, Smalley, Stiles, Trebilcock, Vaughan, Watson, Wood, Wright, Mr. Speaker.--54.

Nay: Bennett, Cannaday, Condit, Dorman, Fisher, Floyd, Grau, Hamilton, Hardin, Hulbert, Inman, Lockhart, Matthews, McDaniel (Curtis), McDaniel (Jeannie), McPeak, Morrissette, Perryman, Pittman, Proctor, Pruett, Quinn, Renegar, Ritze, Roberts (Sean), Scott, Shelton, Sherrer, Virgin, Wesselhoft.--30.

Excused: Blackwell, Brown, Fourkiller, Glenn, Hickman, Hoskin, Johnson, Jordan, Joyner, Kirby, Osborn, Reynolds, Roberts (Dustin), Thomsen, Turner, Walker, Williams.--17.

The emergency failed.

SB 847 was referred for engrossment.

MESSAGES FROM THE SENATE

Announcing that Enrolled **HBs 1010, 1243, 1294, 1355, 1882, 2000** and **2217** 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.

Returning engrossed measures

Announcing the passage of **HBs 1597, 1792**, Remove Senator Holt as principal Senate author and substitute with Senator Brooks and Coauthored by Senator Holt and Representative Kirby and **2160**.

The above-numbered measures were referred for enrollment.

GENERAL ORDER

SB 919 by Justice et al of the Senate and Armes of the House was read and considered.

Coauthored by Representative(s) Roberts (Dustin)

Representative Armes moved that **SB 919** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 919 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Biggs, Billy, Brown, Brumbaugh, Cannaday, Casey, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Enns, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kouplen, Lockhart, Martin (Scott), Martin (Steve), Matthews, McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morrisette, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Thomsen, Trebilcock, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--94.

Excused: Blackwell, Christian, Henke, Kirby, Reynolds, Stiles, Williams.--7.

The measure passed.

SB 919 was referred for engrossment.

GENERAL ORDER

SB 1058 by Schulz of the Senate and Ortega of the House was read and considered.

Representative Reynolds moved to amend **SB 1058** by restoring the title, which amendment was withdrawn.

Representative Reynolds moved to amend **SB 1058** by restoring the enacting clause, which amendment was withdrawn.

Representative Ortega moved that **SB 1058** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1058 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Biggs, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Enns, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Henke, Hickman, Hoskin, Hulbert, Inman, Johnson, Jordan, Joyner, Kern, Kouplen, Lockhart, Martin (Scott), Martin (Steve), Matthews, McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morrisette, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--98.

Excused: Jackson, Kirby, Williams.--3.

The measure passed.

SB 1058 was referred for engrossment.

GENERAL ORDER

SB 267 by Stanislawski of the Senate and Quinn of the House was read and considered.

Coauthored by Representative(s) Nelson

Representative Quinn moved to amend **SB 267** by restoring the title, which amendment was declared adopted.

Representative Cannaday moved to amend **SB 267**, Page 14, Section 5, Line 9 by inserting a new subsection B to read as follows, and by renumbering subsequent subsections:

“B. The Board shall not approve a statewide virtual charter school application unless such school is incorporated in the state.”,

which amendment was withdrawn.

Representative Quinn moved that **SB 267** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 267 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Bennett, Biggs, Billy, Blackwell, Brumbaugh, Casey, Christian, Condit, Coody, Cooksey, Denney, Derby, DeWitt, Dorman, Echols, Fisher, Grau, Hall, Hamilton, Henke, Hickman, Hulbert, Jackson, Johnson, Jordan, Kern, Kirby, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiell, McPeak, Moore, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Peterson, Quinn, Ritze, Roberts (Dustin), Roberts (Sean), Sanders, Schwartz, Sears, Stiles, Trebilcock, Turner, Vaughan, Virgin, Walker, Wesselhoft, Wright, Mr. Speaker.--61.

Nay: Banz, Brown, Cannaday, Cleveland, Cockroft, Cox, Floyd, Fourkiller, Glenn, Hardin, Hoskin, Inman, Joyner, Kouplen, Lockhart, McBride, McCall, McDaniel (Curtis), McDaniel (Jeannie), Morrissette, Perryman, Pittman, Proctor, Pruett, Renegar, Rousselot, Russ, Scott, Shelton, Sherrer, Shoemake, Smalley, Thomsen, Wood.--34.

Excused: Dank, Enns, Matthews, Reynolds, Watson, Williams.--6.

The measure passed.

SB 267 was referred for engrossment.

Representative Wright Presiding

GENERAL ORDER

SB 402 by Justice of the Senate and DeWitt of the House was read and considered.

Coauthored by Representative(s) Scott

Representative DeWitt moved that **SB 402** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 402 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, Biggs, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Condit, Coody, Cox, DeWitt, Dorman, Echols, Enns, Fisher, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Henke, Hickman, Hoskin, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplén, Lockhart, Martin (Scott), Martin (Steve), McBride, McCall, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morrisette, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Pittman, Proctor, Pruett, Quinn, Renegar, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Stiles, Thomsen, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--85.

Nay: Billy, Cockroft, Cooksey, Denney, Derby, Floyd, Hulbert, McCullough, Peterson, Ritze, Turner.--11.

Excused: Dank, Inman, Matthews, Reynolds, Smalley.--5.

The measure and emergency passed.

SB 402 was referred for engrossment.

GENERAL ORDER

SB 283 by Brecheen of the Senate and Thomsen of the House was read and considered.

Representative Thomsen moved that **SB 283** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 283 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, Biggs, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Denney, Derby, DeWitt, Dorman, Echols, Enns, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Henke, Hickman, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplén, Lockhart, Martin (Scott), Martin (Steve), McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morrisette, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Ritze,

Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--98.

Excused: Dank, Matthews, Shelton.--3.

The measure and emergency passed.

SB 283 was referred for engrossment.

GENERAL ORDER

SB 302 by Jolley of the Senate and Grau of the House was read and considered.

Representative Grau moved that **SB 302** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 302 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Biggs, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Denney, Derby, DeWitt, Dorman, Echols, Enns, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Henke, Hickman, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Martin (Steve), Matthews, McBride, McCall, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Ritze, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Schwartz, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--95.

Excused: Dank, McDaniel (Curtis), Reynolds, Rousselot, Scott, Williams.--6.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 302** and ordered same returned to the Honorable Senate.

GENERAL ORDER

SB 486 by Simpson et al of the Senate and Ownbey et al of the House was read and considered.

Coauthored by Representative(s) Sherrer, Hoskin, Lockhart, Proctor, Ritze, Perryman

Representative Ownbey moved that **SB 486** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 486 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Armes, Biggs, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Denney, Derby, DeWitt, Dorman, Echols, Enns, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Henke, Hickman, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kouplen, Lockhart, Martin (Scott), Martin (Steve), Matthews, McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morrisette, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--96.

Excused: Banz, Bennett, Dank, Kirby, Williams.--5.

The measure and emergency passed.

SB 486 was referred for engrossment.

MOTION

Representative Russ asked unanimous consent that the Journal reflect that the Rules Committee voted by unanimous consent Monday, April 22, 2013, to approve the principal author's request to strike the title and enacting clause on **SB 249** by Representative Nelson, **SB 365** by Representative Armes and **SB 521** by Representative Nelson.

GENERAL ORDER

SB 700 by Stanislawski of the Senate and Mulready of the House was read and considered.

Representative Mulready moved that **SB 700** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 700 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Biggs, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Denney, Derby, DeWitt, Dorman, Echols, Enns, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Henke, Hickman, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Martin (Steve), Matthews, McBride, McCall, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morrisette, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Reynolds, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Scott, Sears, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--95.

Nay: Shelton.--1.

Excused: Dank, McCullough, Renegar, Williams.--4.

Constitutional Priv: Schwartz.--1.

The measure passed.

SB 700 was referred for engrossment.

GENERAL ORDER

SB 1009 by Marlatt et al of the Senate and Murphey of the House was read and considered.

Representative Murphey moved that **SB 1009** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1009 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, Biggs, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Denney, Derby, DeWitt, Dorman, Echols, Enns, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Henke, Hickman, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Lockhart, Martin (Scott), Martin (Steve), McBride, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morrisette, Mulready,

Murphey, Nelson, Newell, Nollan, O'Donnell, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--93.

Excused: Christian, Dank, Kirby, Kouplén, Matthews, McCall, Ortega, Williams.--8.

The measure and emergency passed.

The Presiding Officer signed, in open session, Engrossed **SB 1009** and ordered same returned to the Honorable Senate.

GENERAL ORDER

SB 864 by Sykes et al of the Senate and Johnson of the House was read and considered.

Coauthored by Representative(s) Sherrer

Representative Johnson moved to amend **SB 864** by deleting Sections 1 and 2 and by inserting new Sections 1 and 2, which amendment was declared adopted.

Representative Johnson moved that **SB 864** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 864 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Biggs, Billy, Brown, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Denney, Derby, DeWitt, Dorman, Echols, Enns, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Henke, Hoskin, Hulbert, Jackson, Johnson, Jordan, Joyner, Kouplén, Lockhart, Martin (Scott), Martin (Steve), McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morrissette, Mulready, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--88.

Nay: Bennett, Kern, Murphey, Reynolds, Ritze, Williams.--6.

Excused: Blackwell, Dank, Hickman, Inman, Kirby, Matthews, Renegar.--7.

The measure passed.

SB 864 was referred for engrossment.

GENERAL ORDER

SB 679 by Griffin et al of the Senate and Nelson of the House was read and considered.

Representative Nelson moved that **SB 679** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 679 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Biggs, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Denney, Derby, DeWitt, Dorman, Echols, Enns, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Henke, Hickman, Hoskin, Inman, Johnson, Jordan, Joyner, Kern, Kouplen, Lockhart, Martin (Scott), Martin (Steve), McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiell, McPeak, Moore, Morrisette, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Trebilcock, Turner, Virgin, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--91.

Nay: Reynolds, Ritze.--2.

Excused: Christian, Dank, Hulbert, Jackson, Kirby, Matthews, Shelton, Vaughan.--8.

The measure passed.

SB 679 was referred for engrossment.

RECONSIDERATION

Representative Watson moved to reconsider the vote whereby **SB 869** failed, which motion prevailed upon roll call as follows:

Aye: Armes, Banz, Bennett, Biggs, Billy, Blackwell, Brumbaugh, Casey, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Denney, Derby, DeWitt, Dorman, Echols, Enns, Fisher, Grau, Hall, Hamilton, Hardin, Henke, Hickman, Hoskin, Hulbert, Inman, Johnson,

Jordan, Kern, Kouplen, Martin (Scott), Martin (Steve), McBride, McCall, McCullough, McDaniel (Randy), McNiell, Moore, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Pruett, Quinn, Renegar, Roberts (Dustin), Russ, Sanders, Schwartz, Sears, Shelton, Sherrer, Smalley, Stiles, Trebilcock, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--76.

Nay: Brown, Cannaday, Floyd, Fourkiller, Glenn, Joyner, McDaniel (Curtis), McPeak, Morrisette, Proctor, Roberts (Sean), Rousselot, Scott, Shoemake, Williams.--15.

Excused: Christian, Dank, Jackson, Kirby, Lockhart, Matthews, McDaniel (Jeannie), Reynolds, Ritze, Thomsen.--10.

THIRD READING

SB 869 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Biggs, Billy, Blackwell, Brumbaugh, Casey, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Denney, DeWitt, Dorman, Echols, Enns, Fisher, Grau, Hall, Hamilton, Hardin, Hickman, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Kern, Kouplen, Martin (Scott), Martin (Steve), McBride, McCall, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiell, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Pruett, Quinn, Renegar, Roberts (Dustin), Russ, Schwartz, Sears, Sherrer, Smalley, Stiles, Trebilcock, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--73.

Nay: Brown, Cannaday, Derby, Floyd, Fourkiller, Glenn, Joyner, Lockhart, McDaniel (Curtis), McPeak, Morrisette, Proctor, Ritze, Roberts (Sean), Rousselot, Scott, Shelton, Shoemake, Williams.--19.

Excused: Christian, Dank, Henke, Kirby, Matthews, Moore, Reynolds, Sanders, Thomsen.--9.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 869** and ordered same returned to the Honorable Senate.

MESSAGES FROM THE SENATE

Pursuant to Article 5, Section 30 of the Oklahoma Constitution, the Senate requests the Honorable House of Representatives to consent to the adjournment of the Senate for more than three days beginning Thursday, April 25th, 2013, and ending on Monday, April 29th, 2013.

Conference requested

Advising rejection of **HAs to SBs 330, 559, 641 and 684** and requesting conference thereon, the Senate naming conferees later.

Returning engrossed measures

Announcing the passage of **HBs 1081, 1743 and 1909**, Coauthored by Representative Lockhart and Senator Allen.

The above-numbered measures were referred for enrollment.

ADJOURNMENT CONSENT REQUEST

Representative Peterson moved pursuant to Article V, Section 30 of the Oklahoma Constitution that the House grant the request of the Honorable Senate to adjourn for more than three (3) days beginning Thursday, April 25, 2013, and ending Monday, April 29, 2013.

Representative Proctor moved to table the Peterson motion, which tabling motion failed of adoption upon a division of the question.

Representative Peterson pressed her motion, which motion was declared adopted upon roll call as follows:

Aye: Armes, Banz, Billy, Blackwell, Brown, Brumbaugh, Casey, Cleveland, Cockroft, Coody, Cooksey, Cox, Denney, DeWitt, Echols, Fisher, Glenn, Grau, Hall, Hardin, Henke, Hickman, Hoskin, Jackson, Jordan, Joyner, Martin (Scott), Martin (Steve), McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Peterson, Pruett, Quinn, Rousselot, Sanders, Schwartz, Sears, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Watson, Wood, Wright, Mr. Speaker.--63.

Nay: Cannaday, Condit, Derby, Dorman, Enns, Floyd, Hamilton, Kern, Kouplen, Lockhart, Morrissette, Perryman, Proctor, Renegar, Ritze, Roberts (Dustin), Roberts (Sean), Russ, Scott, Shelton, Virgin, Wesselhoft.--22.

Excused: Bennett, Biggs, Christian, Dank, Fourkiller, Hulbert, Inman, Johnson, Kirby, Matthews, McDaniel (Jeannie), McPeak, Pittman, Reynolds, Walker, Williams.--16.

RESOLUTION

The following was introduced and read:

HCR 1014 – By Russ.

A Concurrent Resolution designating certain rights as the Oklahoma Insurance Consumer Bill of Rights; and directing distribution.

MESSAGE FROM THE GOVERNOR

Advising of her approval of **HBs 1089, 1413, 1431, 1640, 1722, 1756** and **1921** on April 23, 2013.

Representative Peterson moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 9:00 a.m., Wednesday, April 24, 2013, which was the order.

Pursuant to the motion of Representative Peterson, the House was adjourned at 5:10 p.m., to reconvene Wednesday, April 24, 2013, at 9:00 a.m.