

# HOUSE JOURNAL

## First Regular Session of the Fifty-fourth Legislature of the State of Oklahoma

Sixty-third Legislative Day, Wednesday, May 22, 2013

The House was called to order by Representative Newell.

The roll was called with 99 Members present.

The following Members were excused: McBride, Renegar—2.

Representative Newell declared a quorum present.

Prayer was offered by Pastor Doyle Pryor, First Baptist Church, Sapulpa. Pastor Pryor was sponsored by Representative McCullough.

The Journal for the last legislative day was approved.

### ENGROSSED AND ENROLLED MEASURES

**HJR**s 1058, 1061, 1062, 1063, 1064 and 1065 were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

### COMMUNICATION

The following Executive Order was filed with the Office of the Secretary of State on May 20, 2013, which reads as follows:

#### EXECUTIVE ORDER 2013-20

I, Mary Fallin, Governor of the State of Oklahoma, pursuant to the power vested in me by Section 2 of Article VI of the Oklahoma Constitution hereby declare the following:

1. Tornadoes, severe storms, straight-line winds and flooding beginning May 18, 2013,

and continuing have caused extensive damage to public and private properties within the State of Oklahoma; and said damages have caused an undue hardship on the citizens of this state.

2. It may be necessary to provide for the rendering of mutual assistance among the State and political subdivisions of the State with respect to carrying out disaster emergency functions during the continuance of the State emergency pursuant to the provisions of the Oklahoma Emergency Management Act of 2003.

3. There is hereby declared a disaster emergency caused by the tornadoes, severe storms, straight-line winds and flooding in the State of Oklahoma that threatens the lives and property of the people of this State and the public's peace, health and safety. The counties included in this declaration are:

Caddo, Cleveland, Comanche, Creek, Garfield, Grant, Greer, Kiowa, Lincoln, Logan, McClain, Okfuskee, Oklahoma, Pawnee, Payne and Pottawatomie

This declaration may be amended to add counties as conditions warrant.

4. The State Emergency Operations Plan was activated on May 18, 2013 and resources of all State departments and agencies available to meet this emergency are hereby committed to the reasonable extent necessary to protect lives and to prevent, minimize, and repair injury and damage. These efforts shall be coordinated by the Director of the Department of Emergency Management with comparable functions of the federal government and political subdivisions of the State.

5. State agencies, in responding to this disaster emergency, may make necessary emergency acquisitions to fulfill the purposes of this proclamation without regard to limitations ~ or bidding requirements on such acquisitions.

6. This Executive Order shall terminate at the end of thirty (30) days.

Copies of this Executive Order shall be distributed to the Director of Emergency Management who shall cause the provisions of this order to be implemented by all appropriate agencies of state government.

IN WITNESS WHEREOF, I have set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, this 19th day of May 2013.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA

/s/ Mary Fallin

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 1919** was called up for consideration.

Coauthored by Representative(s) Mulready, Brown

Upon motion of Representative McCullough, the **CCR** on **HB 1919** was adopted.

**HB 1919**, as amended in conference, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Armes, Banz, Bennett, Biggs, Brown, Brumbaugh, Cannaday, Casey, Cleveland, Cockroft, Condit, Coody, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Enns, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hardin, Henke, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kouplen, Lockhart, Martin (Scott), Martin (Steve), Matthews, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morrisette, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Thomsen, Turner, Vaughan, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--86.

Nay: Reynolds.--1.

Excused: Billy, Blackwell, Christian, Cooksey, Hamilton, Hickman, Kirby, McBride, McCall, O'Donnell, Renegar, Stiles, Trebilcock, Virgin.--14.

The measure passed.

**HB 1919**, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

## **PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 1917** was called up for consideration.

Coauthored by Representative(s) Walker, McCullough

Upon motion of Representative Jordan, the **CCR** on **HB 1917** was adopted.

**HB 1917**, as amended in conference, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Armes, Banz, Bennett, Biggs, Blackwell, Brown, Brumbaugh, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Echols, Fisher, Grau, Hall, Hardin, Henke, Hulbert, Jackson, Johnson, Jordan, Joyner, Kern, Lockhart, Martin (Scott), Martin (Steve), McCall, McCullough, McDaniel (Randy), McNiel, Moore, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Perryman, Peterson, Pruett, Quinn, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Schwartz, Scott, Sears, Smalley, Thomsen, Turner, Vaughan, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--67.

Nay: Dorman, Floyd, Fourkiller, Glenn, Hoskin, Inman, Kouplen, Matthews, McDaniel (Curtis), McDaniel (Jeannie), McPeak, Morrisette, Pittman, Proctor, Reynolds, Ritze, Rousselot, Shelton, Sherrer, Shoemake, Williams.--21.

Excused: Billy, Cannaday, Enns, Hamilton, Hickman, Kirby, McBride, Mulready, O'Donnell, Renegar, Stiles, Trebilcock, Virgin.--13.

The measure passed.

Representative Reynolds served notice to reconsider the vote whereby **HB 1917** passed.

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

Aye: Armes, Banz, Bennett, Biggs, Blackwell, Brown, Brumbaugh, Casey, Christian, Cleveland, Cockroft, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Echols, Fisher, Grau, Hall, Hardin, Henke, Hulbert, Jackson, Johnson, Jordan, Joyner, Kern, Lockhart, Martin (Scott), Martin (Steve), McCall, McCullough, McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peterson, Quinn, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Schwartz, Sears, Smalley, Thomsen, Turner, Vaughan, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--64.

Nay: Condit, Dorman, Floyd, Fourkiller, Glenn, Hoskin, Inman, Kouplen, Matthews, McDaniel (Curtis), McDaniel (Jeannie), McPeak, Morrissette, Pittman, Proctor, Pruett, Reynolds, Ritze, Rousselot, Scott, Shelton, Sherrer, Shoemake, Virgin.--24.

Excused: Billy, Cannaday, Enns, Hamilton, Hickman, Kirby, McBride, O'Donnell, Perryman, Renegar, Stiles, Trebilcock, Williams.--13.

The emergency failed.

Representative Jordan served notice to reconsider the vote whereby the emergency failed on **HB 1917**.

## **MESSAGES FROM THE SENATE**

Advising fourth reading of and transmitting for signature Enrolled **SB 550**.

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

### **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 559**

**SB 639**

**SB 645**

**SB 911** - Remove Senator Brown as principal Senate author and substitute with Senator Sparks.

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

### **Conferees changed**

Advising changing Senate Conferees on the following:

**SB 343** - Remove GCCA and name Mazzei, Schulz, Bingman, Marlatt, Burrage, Ivester

### **PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 1022** was called up for consideration.

Upon motion of Representative Echols, the **CCR** on **SB 1022** was adopted upon a division of the question.

**SB 1022**, as amended in conference, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Armes, Banz, Biggs, Blackwell, Brumbaugh, Christian, Cleveland, Cockroft, Coody, Cooksey, Cox, Dank, Derby, DeWitt, Echols, Fisher, Glenn, Grau, Hall, Henke, Hulbert, Jackson, Johnson, Jordan, Kern, Martin (Scott), Martin (Steve), McCall, McCullough, McDaniel (Randy), Moore, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peterson, Pruett, Quinn, Reynolds, Ritze, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Schwartz, Sears, Smalley, Turner, Vaughan, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--59.

Nay: Bennett, Billy, Brown, Casey, Condit, Denney, Floyd, Fourkiller, Hardin, Hoskin, Inman, Joyner, Kouplen, Lockhart, Matthews, McDaniel (Curtis), McDaniel (Jeannie), McNeil, McPeak, Morrissette, Perryman, Pittman, Proctor, Rousselot, Scott, Shelton, Sherrer, Shoemake, Thomsen, Virgin, Williams.--31.

Excused: Cannaday, Dorman, Enns, Hamilton, Hickman, Kirby, McBride, O'Donnell, Renegar, Stiles, Trebilcock.--11.

The measure passed.

Representative Echols moved to reconsider the vote whereby **SB 1022** passed.

Representative Derby moved to table the Echols reconsideration motion.

Representative Inman attempted to serve notice to reconsider the vote whereby **SB 1022** passed, which motion was ruled out of order.

Representative Inman raised a point of order as to where in House Rules it allows for a member to reconsider the vote on a measure without having served notice on the measure, to which the Presiding Officer replied House Rule 9.10(c).

Representative Inman raised a point of clarification as to whether the motion to reconsider was in order without notice first being served of the possibility that a motion to reconsider could be offered in the future.

The Presiding Officer stated that it is not logical to interpret Rule 9.10(c) to require a member to serve notice of possible future intent to reconsider when the motion to reconsider is to be offered immediately. The Presiding Officer stated that pursuant to House Rule 9.10(c) the motion was in order.

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

Representative Wright moved to table the Inman appeal, which motion was declared adopted upon roll call as follows:

Aye: Armes, Banz, Bennett, Biggs, Brumbaugh, Casey, Christian, Cleveland, Cockroft, Coody, Cooksey, Dank, Denney, Derby, Echols, Fisher, Grau, Hall, Hardin, Henke, Hulbert, Jackson, Johnson, Jordan, Joyner, Kern, Martin (Scott), McCall, McCullough, McDaniel (Randy), McNeil, Moore, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peterson, Quinn, Roberts (Sean), Russ, Sanders, Schwartz, Smalley, Thomsen, Turner, Vaughan, Walker, Watson, Wesselhoft, Wood, Wright,  
Mr. Speaker.--56.

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

Excused: Billy, Blackwell, Cannaday, Cox, DeWitt, Dorman, Enns, Hickman, Kirby, Martin (Steve), McBride, O'Donnell, Renegar, Roberts (Dustin), Sears, Trebilcock.--16.

Representative Reynolds raised a point of inquiry as to where in House Rules it states that a member may not approach the Presiding Officer during a point of order, to which the Presiding Officer replied House Rule 9.2(h).

Representative Derby pressed his motion to table the Echols reconsideration motion, which motion was declared adopted upon roll call as follows:

Aye: Armes, Banz, Biggs, Casey, Cleveland, Cockroft, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Echols, Fisher, Grau, Hall, Hardin, Henke, Hulbert, Jackson, Johnson, Jordan, Joyner, Kern, Martin (Scott), Martin (Steve), McCall, McCullough, McDaniel (Randy), McNeil, Moore, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peterson, Quinn, Roberts (Sean), Russ, Sanders, Schwartz, Sears, Smalley, Thomsen, Turner, Vaughan, Walker, Watson, Wesselhoft, Wood, Wright,  
Mr. Speaker.--57.

Nay: Bennett, Brown, Brumbaugh, Condit, Floyd, Fourkiller, Glenn, Hamilton, Hoskin, Inman, Kouplen, Lockhart, Matthews, McDaniel (Curtis), McDaniel (Jeannie), McPeak, Morrissette, Perryman, Pittman, Proctor, Pruett, Reynolds, Ritze, Rousselot, Scott, Shelton, Sherrer, Shoemake, Stiles, Virgin, Williams.--31.

Excused: Billy, Blackwell, Cannaday, Christian, Dorman, Enns, Hickman, Kirby, McBride, O'Donnell, Renegar, Roberts (Dustin), Trebilcock.--13.

**SB 1022**, together with the conference committee report, thereon, was ordered returned to the Honorable Senate.

## **MESSAGES FROM THE SENATE**

Announcing that Enrolled **HJR**s 1058, 1061, 1062, 1063, 1064 and 1065 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 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 249** - Coauthored by Jolley, Sykes, Inman

**SB 418** - Coauthored by Stanislawski, Paddack, Shumate and Representative Matthews

**SB 522**

**SB 1013**

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

## **MOTION**

Representative Johnson moved that the House stand in recess until 1:45 p.m., which was the order.

**Representative Murphey Presiding****POINT OF INQUIRY**

Representative Morrisette raised a point of information as to the amount of debate permissible under House Rules at the time of adoption of a Joint Committee Report, passage of a bill on Third Reading and adoption of an emergency clause, to which the Presiding Officer responded that the point of inquiry should be raised at the time of debate.

**GENERAL ORDER**

**SB 1122** by Jolley et al of the Senate and Martin (Scott) et al of the House was read and considered.

Representative Sanders moved adoption of the Joint Committee Report on **SB 1122**, which motion was declared adopted.

Representative Sanders moved that **SB 1122** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**SB 1122** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Biggs, Blackwell, Brown, Brumbaugh, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Enns, Fisher, Fourkiller, Glenn, Grau, Hall, Hamilton, 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, Moore, Morrisette, Mulready, Murphey, 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.--92.

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

Excused: Billy, Cannaday, Floyd, McBride, McPeak, Renegar.--6.

The measure passed.

Representative Derby served notice to reconsider the vote whereby **SB 1122** passed.

Representative Shelton raised a point of order inquiring as to why other Representatives had sought recognition but the Presiding Officer provided prior recognition to Representative Derby to serve notice of possible intent to offer a motion to reconsider.

The Presiding Officer stated that it is the prerogative of the Chair to determine the order in which members are recognized.

Representative Glenn raised a point of inquiry as to why Representative Derby had been recognized. The Presiding Officer stated that it is the prerogative of the Chair to determine the order in which members are recognized.

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

Aye: Armes, Banz, Bennett, Biggs, Blackwell, Brumbaugh, Casey, Christian, Cleveland, Cockroft, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Echols, Enns, Fisher, Grau, Hall, Hardin, Henke, Hickman, Hulbert, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Martin (Scott), Martin (Steve), McCall, McCullough, McDaniel (Randy), McNeil, Moore, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Peterson, Quinn, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Schwartz, Sears, Smalley, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--68.

Nay: Condit, Dorman, Floyd, Fourkiller, Glenn, Hamilton, Hoskin, Inman, Kouplen, Lockhart, Matthews, McDaniel (Curtis), McDaniel (Jeannie), McPeak, Morrisette, Perryman, Pittman, Proctor, Pruett, Reynolds, Ritze, Rousselot, Scott, Shelton, Sherrer, Shoemake, Virgin, Williams.--28.

Excused: Billy, Brown, Cannaday, McBride, Renegar.--5.

The emergency passed.

Representative Sanders served notice to reconsider the vote whereby the emergency passed on **SB 1122**.

## **MESSAGES FROM THE SENATE**

Advising changing Senate Conferees on the following:

**HB 1794** - Remove GCCA and name Jolley, Justice, Brinkley, Griffin, Burrage and Sparks

### Transmitting CCR

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

**SB 166** - Coauthored by Senator Marlatt and Representative Sanders

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

### Returning CCRs

Returning **HBs 1068, 1383, 1525** and **2186** 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.

### GENERAL ORDER

**SB 1120** by Jolley et al of the Senate and Martin (Scott) et al of the House was read and considered.

Representative Nelson moved adoption of the Joint Committee Report on **SB 1120**, which motion was declared adopted.

Representative Nelson moved that **SB 1120** be advanced from General Order, which motion was declared adopted.

### THIRD READING

**SB 1120** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Biggs, Blackwell, Brown, Brumbaugh, 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, Jackson, Johnson, Jordan, Joyner, Kern, Kouplen, 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, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--94.

Nay: Reynolds.--1.

Excused: Billy, Cannaday, Kirby, McBride, Osborn, Renegar.--6.

The measure passed.

Representative Nelson served notice to reconsider the vote whereby **SB 1120** passed.

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

Aye: Armes, Banz, Bennett, Biggs, Blackwell, Brown, Brumbaugh, 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, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplun, Lockhart, Martin (Scott), Martin (Steve), McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, Moore, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Proctor, Pruett, Quinn, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--92.

Nay: Reynolds.--1.

Excused: Billy, Cannaday, Matthews, McBride, McPeak, Pittman, Renegar, Wood.--8.

The emergency passed.

Representative Nelson served notice to reconsider the vote whereby the emergency passed on **SB 1120**.

## MESSAGES FROM THE SENATE

Announcing the passage of **HJR**s **1047**, **1051**, Remove Senator Treat as principal Senate author and substitute with Senator Newberry, **1053**, Remove Senator Treat as principal Senate author and substitute with Senator Newberry, **1057**, Remove Senator Treat as principal Senate author and substitute with Senator Newberry and **1069**.

The above-numbered measures were referred for enrollment.

**Returning CCRs**

Returning **HBs 1233, 1683, 1688, 1690, 1700, 1703, 1717, 1989** and **2062** 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.

**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 460**

**SB 688**

**SB 900**

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

**Conferees changed**

Advising changing the Senate Conferees as follows:

**SB 387** - Remove GCCA and name Mazzei, Brinkley, David, Simpson, Sparks and McAffrey

**SB 521** - Remove GCCA and name Treat, Jolley, Justice, Brinkley, Burrage and Sparks

**Transmitting enrolled measure**

Advising fourth reading of and transmitting for signature Enrolled **SB 1022**.

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

**RESOLUTION FOR CONSIDERATION**

**HCR 1021** was called up for consideration.

Upon motion of Representative McCall, **HCR 1021** was considered and adopted upon a division of the question.

**HCR 1021** was referred for engrossment.

## MOTION

Representative Peterson moved that the House stand in recess until 4:15 p.m., which was the order.

## Representative Armes Presiding

## ENGROSSED AND ENROLLED MEASURES

**HBs 1068, 1383, 1525 and 2186** were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

## PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2055** was called up for consideration.

Coauthored by Representative(s) Ritze

Upon motion of Representative Jackson, the **CCR** on **HB 2055** was adopted.

**HB 2055**, as amended in conference, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Armes, Banz, Biggs, Blackwell, Brumbaugh, Casey, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Denney, Derby, DeWitt, Dorman, Echols, Enns, Fisher, Floyd, Grau, Hall, Hamilton, Hardin, Henke, Hickman, Hoskin, Hulbert, Jackson, Johnson, Jordan, Joyner, Kern, Martin (Scott), Martin (Steve), McCall, McCullough, McDaniel (Curtis), McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Peterson, Pruett, Quinn, Reynolds, Ritze, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Schwartz, Sears, Sherrer, Smalley, Stiles, Thomsen, Trebilcock, Vaughan, Walker, Watson, Williams, Wood, Wright, Mr. Speaker.--73.

Nay: Bennett, Brown, Cannaday, Fourkiller, Glenn, Inman, Kouplen, Lockhart, Matthews, McDaniel (Jeannie), McPeak, Morrissette, Perryman, Pittman, Proctor, Rousselot, Scott, Shelton, Shoemake, Virgin.--20.

Excused: Billy, Christian, Dank, Kirby, McBride, Renegar, Turner, Wesselhoft.--8.

The measure passed.

**HB 2055**, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

**Representative Murphey Presiding****ENGROSSED AND ENROLLED MEASURE**

**HCR 1021** was reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

**MESSAGE FROM THE SENATE**

Advising changing Senate Conferees on the following:

**SB 792** - Remove GCCA and name Johnson (Rob), Jolley, Justice, Brinkley, Burrage and Sparks

**PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 2099** was called up for consideration.

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

Upon motion of Representative Nelson, the **CCR** on **HB 2099** was adopted.

**HB 2099**, as amended in conference, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Armes, Banz, Bennett, Biggs, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Enns, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Henke, Hickman, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kouplen, 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, Pittman, Proctor, Pruett, Quinn, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Trebilcock, Vaughan, Virgin, Walker, Watson, Williams, Wood, Wright, Mr. Speaker.--91.

Nay: Reynolds.--1.

Excused: Billy, Christian, Fisher, Hulbert, Kirby, McBride, Renegar, Turner, Wesselhoft.--9.

The measure passed.

**HB 2099**, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 1101** was called up for consideration.

Upon motion of Representative Armes, the **CCR** on **SB 1101** was adopted.

**SB 1101**, 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, Biggs, Blackwell, Brown, Brumbaugh, Cannaday, Casey, 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, Kouplen, Lockhart, Martin (Scott), Martin (Steve), Matthews, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, 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, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Trebilcock, Vaughan, Virgin, Walker, Watson, Williams, Wood, Wright, Mr. Speaker.--90.

Nay: Hamilton, Morrissette.--2.

Excused: Billy, Christian, Fisher, Hulbert, Kirby, McBride, Renegar, Turner, Wesselhoft.--9.

The measure and emergency passed.

**SB 1101**, together with the conference committee report, thereon, was ordered returned to the Honorable Senate.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 820** was called up for consideration.

Upon motion of Representative Osborn, the **CCR** on **SB 820** was adopted.

**SB 820**, 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, Biggs, Brown, Brumbaugh, Cannaday, Casey, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Enns, Floyd, Grau, Hamilton, Hardin, Henke, Hickman, Hoskin, Jackson, Johnson, Jordan, Joyner, Kern, Kouplen, Lockhart, Martin (Scott), Martin (Steve), Matthews, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Mulready, Murphey, Nollan, Ortega, Osborn, Ownbey, Perryman, Peterson, Proctor, Pruett, Quinn, Reynolds, Ritze, Roberts (Dustin), Roberts (Sean),

Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Sherrer, Stiles, Thomsen, Vaughan, Virgin, Walker, Watson, Williams, Wood, Wright, Mr. Speaker.--78.

Nay: Fourkiller, Glenn, Inman, Morrissette, Newell, O'Donnell, Pittman, Shelton, Smalley.--9.

Excused: Billy, Blackwell, Christian, Fisher, Hall, Hulbert, Kirby, McBride, Nelson, Renegar, Shoemake, Trebilcock, Turner, Wesselhoft.--14.

The measure and emergency passed.

Representative Shelton served notice to reconsider the vote whereby the emergency passed on **SB 820**.

### **PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 1016** was called up for consideration.

Upon motion of Representative Osborn, the **CCR** on **SB 1016** was adopted.

**SB 1016**, as amended in conference, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Armes, Banz, Bennett, Biggs, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Enns, Floyd, Fourkiller, Grau, Hall, Hamilton, Hardin, Henke, Hickman, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kouplen, Lockhart, Martin (Scott), Martin (Steve), Matthews, McCall, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, Moore, 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, Schwartz, Scott, Sears, Sherrer, Smalley, Stiles, Thomsen, Vaughan, Virgin, Walker, Watson, Williams, Wood, Wright, Mr. Speaker.--85.

Nay: McDaniel (Curtis), Morrissette.--2.

Excused: Billy, Christian, Fisher, Glenn, Hulbert, Kirby, McBride, McPeak, Renegar, Shelton, Shoemake, Trebilcock, Turner, Wesselhoft.--14.

The measure passed.

**SB 1016**, together with the conference committee report, thereon, was ordered returned to the Honorable Senate.

## PENDING CONSIDERATION OF CCR

The **CCR** on **SB 629** was called up for consideration.

Coauthored by Representative(s) Sherrer, Ortega, McDaniel (Jeannie), McDaniel (Curtis), Perryman

Upon motion of Representative Hardin, the **CCR** on **SB 629** was adopted.

**SB 629**, 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, Biggs, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, Dorman, Echols, Enns, Floyd, Fourkiller, Glenn, Grau, Hamilton, Hardin, Henke, Hickman, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kouplen, Lockhart, Martin (Scott), Martin (Steve), Matthews, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, 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, Schwartz, Scott, Sears, Shelton, Sherrer, Smalley, Stiles, Thomsen, Vaughan, Virgin, Walker, Watson, Williams, Wood, Wright, Mr. Speaker.--87.

Excused: Billy, Christian, DeWitt, Fisher, Hall, Hulbert, Kirby, McBride, McPeak, Renegar, Shoemake, Trebilcock, Turner, Wesselhoft.--14.

The measure and emergency passed.

**SB 629**, together with the conference committee report, thereon, was ordered returned to the Honorable Senate.

## MESSAGES FROM THE SENATE

Announcing that Enrolled **HBs 1068, 1383, 1525** and **2186** 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.

## Conferees unable to agree

Advising conferees are unable to agree on **SBs 574, 700** and **814**.

**PENDING CONSIDERATION OF CCR**

The **2nd CCR** on **HB 1622** was called up for consideration.

Upon motion of Representative Kern, the **2nd CCR** on **HB 1622** was adopted.

**HB 1622**, as amended in conference, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Armes, Banz, Bennett, Biggs, Blackwell, Brumbaugh, Cannaday, Casey, Cleveland, Cockroft, Condit, Dank, Derby, DeWitt, Dorman, Echols, Enns, Grau, Hall, Hardin, Henke, Inman, Jackson, Johnson, Jordan, Kern, Lockhart, Martin (Scott), Martin (Steve), McCall, McCullough, McDaniel (Randy), McNiel, McPeak, Moore, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Reynolds, Ritze, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Schwartz, Scott, Sears, Smalley, Stiles, Thomsen, Trebilcock, Vaughan, Walker, Watson, Wood, Wright, Mr. Speaker.--69.

Nay: Coody, Cox, Denney, Floyd, Fourkiller, Glenn, Hamilton, Hickman, Hoskin, Joyner, Kouplen, Matthews, McDaniel (Curtis), McDaniel (Jeannie), Morrisette, Rousselot, Shelton, Sherrer, Shoemake, Virgin, Williams.--21.

Excused: Billy, Brown, Christian, Cooksey, Fisher, Hulbert, Kirby, McBride, Renegar, Turner, Wesselhoft.--11.

The measure passed.

**HB 1622**, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

**CONFEREES NAMED**

The Speaker named the following conferees:

**HB 2232** – GCCA

**CCRs SUBMITTED**

The conference committee reports were read on the following measures:

**HB 1080** (Conferees Unable to Agree), Coauthored by Representative(s) Cockroft, Biggs, and Coauthored by Senator(s) Simpson

**HB 1103**

**HB 1104**

**HB 1770** (Conferees Unable to Agree)

**HB 1794**, Remove Senator Jolley as principal Senate author and substitute with Senator Shortey

**HB 2180** (Conferees Unable to Agree), Coauthored by Representative(s) Morrissette

#### **REPORT FROM CALENDAR COMMITTEE**

The Calendar Committee met on Wednesday, May 22, 2013, and approved the following measures with an Open Rule to be placed on the Floor Agenda: **HB 1103, HB 1516, HB 2228, HB 2231, HJR 1067, HR 1011, SB 156, SB 164, SB 166, SB 173, SB 249, SB 418, SB 426, SB 522, SB 559, SB 751, SB 911, SB 929** and **SB 1013**. The following measures were approved with an Open Rule, Fiscal Analysis required, to be placed on the Floor Agenda: **HB 1104, SB 301, SB 639, SB 645** and **SB 954**.

Representative Peterson moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 9:00 a.m., Thursday, May 23, 2013, which was the order.

Pursuant to the motion of Representative Peterson, the House was adjourned at 6:00 p.m., to reconvene Thursday, May 23, 2013, at 9:00 a.m.