

# HOUSE JOURNAL

**First Regular Session of the Fifty-fourth Legislature**

**of the State of Oklahoma**

**Seventh Legislative Day, Tuesday, February 12, 2013**

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

The roll was called with 99 Members present.

The following Members were excused: Hamilton, Lockhart.—2.

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Pastor Ray Douglas, Greater Mount Olive Baptist Church, Oklahoma City. Pastor Douglas was sponsored by Representative Shelton.

The Journal for the last legislative day was approved.

## **ENGROSSED AND ENROLLED MEASURES**

**HBs 1117** and **2170** were reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

## **MEASURES REASSIGNED**

The following measures were reassigned:

**HB 1247** – Withdrawn from Rules and referred to Public Safety.

**HB 1676** – Withdrawn from Public Health and referred to Rules.

**HB 1789** – Withdrawn from Rules and referred to Appropriations and Budget.

**HB 1795** – Withdrawn from States' Rights and referred to Rules.

**HB 2267** – Withdrawn from Rules and referred to Appropriations and Budget.

**GENERAL ORDER**

**HB 1508** by Peterson of the House and David of the Senate was read and considered.

Coauthored by Representative(s) Nelson, Pittman, Cooksey

Representative Peterson moved that **HB 1508** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**HB 1508** was read at length for the third time. On passage of the measure, the roll call was as follows:

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

Excused: Biggs, Christian, Fourkiller, Grau, Hamilton, Kouplen, Lockhart, Morrissette, Pittman, Reynolds, Ritze, Scott, Stiles, Williams.--14.

The measure passed.

**HB 1508** was referred for engrossment.

**RECONSIDERATION**

Representative Nelson moved to reconsider the vote whereby **HB 2166** passed.

Representative Echols moved to table the Nelson motion, which tabling motion prevailed.

**HB 2166** was referred for engrossment.

## GENERAL ORDER

**HB 1324** by McDaniel (Randy) of the House and Sykes of the Senate was read and considered.

Representative McDaniel (Randy) moved that **HB 1324** be advanced from General Order, which motion was declared adopted.

## THIRD READING

**HB 1324** 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, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Enns, Fisher, Floyd, Fourkiller, Glenn, Hall, Hardin, Henke, Hickman, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplun, Martin (Scott), Martin (Steve), Matthews, McBride, 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, Renegar, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--93.

Excused: Biggs, Grau, Hamilton, Lockhart, Morrisette, Reynolds, Scott, Williams.--8.

The measure and emergency passed.

**HB 1324** was referred for engrossment.

## GENERAL ORDER

**HB 1383** by McDaniel (Randy) of the House and Stanislawski of the Senate was read and considered.

Representative McDaniel (Randy) moved that **HB 1383** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**HB 1383** 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, Brumbaugh, Casey, Christian, Cleveland, Cockroft, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Echols, Enns, Fisher, Hall, Hardin, Henke, Hickman, Hoskin, Hulbert, Johnson, Jordan, Joyner, Kern, Martin (Scott), Martin (Steve), Matthews, McBride, McCall, McCullough, McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Pruett, Quinn, Ritze, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Schwartz, Sears, Smalley, Stiles, Trebilcock, Turner, Vaughan, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--71.

Nay: Brown, Cannaday, Condit, Dorman, Fourkiller, Glenn, Inman, Kouplen, McDaniel (Curtis), McDaniel (Jeannie), McPeak, Proctor, Renegar, Rousselot, Shelton, Sherrer, Shoemake, Virgin, Williams.--19.

Excused: Blackwell, Floyd, Grau, Hamilton, Jackson, Kirby, Lockhart, Morrisette, Reynolds, Scott, Thomsen.--11.

The measure and emergency passed.

**HB 1383** was referred for engrossment.

**GENERAL ORDER**

**HB 1646** by Jordan of the House and Bingman of the Senate was read and considered.

Representative Jordan moved that **HB 1646** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**HB 1646** 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, Brumbaugh, Casey, Christian, Cleveland, Cockroft, Coody, Cooksey, Cox, Dank, Denney, DeWitt, Echols, Enns, Fisher, Grau, Hardin, Henke, Hickman, Hulbert, Jackson, Johnson, Jordan, Joyner, 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, Reynolds, Ritze, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Schwartz, Sears, Smalley, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--70.

Nay: Cannaday, Condit, Dorman, Floyd, Fourkiller, Glenn, Hoskin, Inman, Kouplen, McDaniel (Curtis), McDaniel (Jeannie), McPeak, Morrissette, Perryman, Pittman, Proctor, Pruett, Renegar, Rousselot, Scott, Sherrer, Shoemake, Virgin, Williams.--24.

Excused: Brown, Derby, Hall, Hamilton, Lockhart, Matthews, Shelton.--7.

The measure and emergency passed.

Representative Jordan served notice to reconsider the vote whereby the emergency on **HB 1646** passed.

### **GENERAL ORDER**

**HB 1085** by Grau of the House was read and considered.

Authored by Senator Sykes (principal Senate author)

Representative Grau moved that **HB 1085** be advanced from General Order, which motion was declared adopted.

### **THIRD READING**

**HB 1085** 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, Hardin, Henke, Hickman, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Martin (Steve), McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Proctor, Pruett, Quinn, Roberts (Dustin), Roberts (Sean), Rousselot, Schwartz, Sears, Shelton, Shoemake, Smalley, Stiles, Thomsen, Turner, Vaughan, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--81.

Nay: Hoskin, Matthews, McDaniel (Jeannie), McPeak, Morrissette, Pittman, Renegar, Reynolds, Ritze, Russ, Scott, Sherrer, Virgin.--13.

Excused: Hall, Hamilton, Kouplen, Lockhart, Martin (Scott), Sanders, Trebilcock.--7.

The measure passed.

**HB 1085** was referred for engrossment.

**SECOND READING**

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

**HJR 1046** – Administrative Rules, Government Oversight and Repealer

**MEASURES REASSIGNED**

The following measures were reassigned:

**HB 1235** – Withdrawn from Economic Development and Financial Services and referred to Public Health.

**HB 1237** – Withdrawn from Public Health and referred to Rules.

**HJR 1005** – Withdrawn from Rules and referred to Public Safety.

**MESSAGE FROM THE SENATE**

Advising the signing of and transmitting for signature Enrolled **SCR 6**.

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

**COMMITTEE REPORTS**

The following were reported by the committees named, ordered printed and placed on the Calendar unless otherwise indicated:

DO PASS:

**HB 1071** – Common Education, Authored by Senator Paddack (principal Senate author)

**HB 1335** – Common Education, Authored by Senator Ballenger (principal Senate author)

**HB 1374** – Human Services

**HB 1528** – Common Education, Authored by Senator Ford (principal Senate author)

**HB 1658** – Common Education, Authored by Senator Jolley (principal Senate author)

**HB 1881** – Common Education, Coauthored by Representative(s) Nollan, and Authored by Senator Stanislawski (principal Senate author)

**HB 2052** – Common Education, Coauthored by Representative(s) Nollan

DO PASS, As Amended:

**CS for HB 1010** – Agriculture and Wildlife, Authored by Senator Wyrick (principal Senate author)

**CS for HB 1038** – Common Education

**CS for HB 1422** – Common Education

**CS for HB 1426** – Agriculture and Wildlife

**CS for HB 1926** – Agriculture and Wildlife

**CS for HB 2219** – Human Services, Coauthored by Representative(s) Nelson, and Authored by Senator Brecheen (principal Senate author)

**CS for HJR 1024** – Rules

### **REPORT FROM CALENDAR COMMITTEE**

The Calendar Committee met on Tuesday, February 12, 2013, and approved the following measures with an Open Rule to be placed on the Floor Agenda: **HB 1058, HB 1081, HB 1084, HB 1089** and **HB 1327**. The following measure was approved with an Open Rule, Fiscal Analysis required, to be placed on the Floor Agenda: **HB 1414**.

Representative Peterson moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 1:30 p.m., Wednesday, February 13, 2013, which was the order.

Pursuant to the motion of Representative Peterson, the House was adjourned at 10:40 a.m., to reconvene Wednesday, February 13, 2013, at 1:30 p.m.