

HOUSE JOURNAL

First Regular Session of the Fifty-fifth Legislature

of the State of Oklahoma

Forty-third Legislative Day, Thursday, April 16, 2015

The House was called to order by Representative Grau.

The roll was called with 91 Members present.

The following Members were excused: Enns, Fisher, Kannady, Kouplen, Morrisette, Nelson, Virgin, Williams.—8.

Vacancy: District 73, District 85.—2.

Representative Grau declared a quorum present.

Prayer was offered by Reverend April Coates, First United Methodist Church, Wilburton. Reverend Coates was sponsored by Representative Renegar.

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HAs to SBs 134, 155, 248, 312, 322, 340, 352, 380, 383, 398, 424, 425, 453, 465, 502, 528, 578, 587, 591 and 656 were reported correctly engrossed, properly signed, in open session, and the measures, as amended, were ordered returned to the Honorable Senate.

HBs 1040, 1149, 1274, 1294, 1318, 1405, 1437, 1548, 1806 and 1857 were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

HRs 1013 and 1017 were reported correctly enrolled, properly signed, in open session, and ordered transmitted to the Secretary of State.

RESOLUTION FOR CONSIDERATION

HR 1014 was called up for consideration.

Upon unanimous consent request of Representative Denney, all Members of the House were added as coauthors.

Upon motion of Representative Denney, **HR 1014** was considered and adopted.

HR 1014 was referred for enrollment.

RESOLUTION FOR CONSIDERATION

HCR 1006 was called up for consideration.

Upon unanimous consent request of Representative Denney, all Members of the House were added as coauthors.

Upon motion of Representative Denney, **HCR 1006** was considered and adopted.

HCR 1006 was referred for engrossment.

MESSAGES FROM THE SENATE

Announcing the concurrence of Senate in **HAs** to **SB 411** and the passage of said measure, as amended thereby.

Returning engrossed measures

Announcing the passage of **HBs 1046** and **1652**.

The above-numbered measures were referred for enrollment.

GENERAL ORDER

SB 498 by Mazzei et al of the Senate and Sears of the House was read and considered.

Representative Sears moved to amend **SB 498**, Page 14, Section 1, Lines 19-21 by deleting the language “With respect to assets placed in commercial operation on or before December 31, 2016, for electric power generation by means of wind by an” and by inserting in lieu thereof the language “Effective January 1, 2017, an”; Line 24 by deleting the underlined words “the assets” and by deleting the underlined words “not be”; Line 24 by striking the word “shall”; Page 15, Line 1 by deleting the underlined words “eligible for the”; Line 1 by striking the word “exemption”; Lines 6-12 by deleting all language beginning with the underlined word “authorized” on Line 6 through the underlined word

“section” on Line 12 and by inserting in lieu thereof the language “shall not be defined as a qualifying manufacturing concern for purposes of the exemption otherwise authorized pursuant to Section 6B of Article X of the Oklahoma Constitution or qualify as a ‘manufacturing facility’ as defined in this section. No initial application for exemption shall be filed by or accepted from an entity engaged in electric power generation by means of wind on or after January 1, 2018”.

Representative Enns moved to amend the Sears amendment by inserting a new Section 1 to read as follows, and by renumbering subsequent sections:

“SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

This act shall be known and may be cited as the ‘David Dank Tax Incentive Reform Act of 2015’.”, which amendment was declared adopted.

Representative Sears moved adoption of the amendment, as amended, which amendment was declared adopted.

Representative Sears moved that **SB 498** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 498 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Banz, Bennett, Billy, Brown, Brumbaugh, Caldwell, Calvey, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody (Ann), Coody (Jeff), Cox, Denney, Derby, Dunlap, Echols, Fourkiller, Grau, Griffith, Hall, Hardin, Hoskin, Inman, Johnson, Jordan, Joyner, Kern, Leewright, Lepak, Lockhart, Martin (Scott), McBride, McCullough, McDaniel (Jeannie), McDaniel (Randy), McPeak, Montgomery, Moore, Mulready, Murdock, Murphey, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Park, Peterson, Pfeiffer, Proctor, Pruett, Renegar, Roberts (Dustin), Roberts (Sean), Rogers, Sanders, Scott, Sears, Shelton, Sherrer, Shoemake, Stone, Tadlock, Thomsen, Vaughan, Walker, Wallace, Watson, Wesselhoft, Wood, Wright, Young, Mr. Speaker.--78.

Nay: Dunnington, Loring, Perryman.--3.

Excused: Biggs, Cooksey, Enns, Faught, Fisher, Henke, Kannady, Kirby, Kouplen, McCall, Morrissette, Nelson, Ritze, Rousselot, Russ, Strohm, Virgin, Williams.--18.

Vacancy: District 73, District 85.--2.

The measure passed.

SB 498 was referred for engrossment.

GENERAL ORDER

SB 456 by Jolley et al of the Senate and Roberts (Dustin) et al of the House was read and considered.

Representative Jordan moved to suspend House Rule 8.6 for the purpose of allowing consideration of an untimely filed floor amendment, which motion was declared adopted upon roll call as follows:

Aye: Bennett, Billy, Brumbaugh, Caldwell, Calvey, Cannaday, Casey, Christian, Cockroft, Condit, Coody (Ann), Coody (Jeff), Derby, Dunlap, Dunnington, Echols, Fourkiller, Grau, Griffith, Hall, Hardin, Hoskin, Inman, Johnson, Jordan, Joyner, Kern, Leewright, Lepak, Lockhart, Loring, Martin (Scott), McBride, McCall, McCullough, McDaniel (Randy), Montgomery, Mulready, Murdock, Murphey, Newell, O'Donnell, Ortega, Osborn, Ownbey, Park, Perryman, Peterson, Pfeiffer, Proctor, Pruett, Renegar, Roberts (Dustin), Roberts (Sean), Rogers, Scott, Sherrer, Shoemake, Strohm, Tadlock, Thomsen, Vaughan, Walker, Watson, Wesselhoft, Wood, Wright, Young, Mr. Speaker.--69.

Nay: McDaniel (Jeannie), Shelton, Stone.--3.

Excused: Banz, Biggs, Brown, Cleveland, Cooksey, Cox, Denney, Enns, Faught, Fisher, Henke, Kannady, Kirby, Kouplen, McPeak, Moore, Morrisette, Nelson, Nollan, Ritze, Rousselot, Russ, Sanders, Sears, Virgin, Wallace, Williams.--27.

Vacancy: District 73, District 85.--2.

Representative Jordan moved to amend **SB 456**, Page 3, Section 1, Line 22 by adding after the words "pursuant to" and before the word "subsection" the language "paragraphs 1, 3, 8, 9, 10 and 14 of", which amendment was declared adopted.

Representative Roberts (Dustin) moved that **SB 456** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 456 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Bennett, Biggs, Billy, Caldwell, Cannaday, Casey, Cleveland, Cockroft, Condit, Coody (Ann), Coody (Jeff), Cox, Echols, Griffith, Hall, Henke, Hoskin, Johnson, Jordan, Joyner, Kirby, Leewright, Lepak, Lockhart, Loring, Martin (Scott), McBride, McCullough, Montgomery, Mulready, Murdock, Newell, Ortega, Osborn, Ownbey, Park, Perryman, Pfeiffer, Pruett, Renegar, Roberts (Dustin), Rogers, Sanders, Scott, Sherrer, Shoemake, Tadlock, Thomsen, Vaughan, Wallace, Watson, Wood, Wright, Mr. Speaker.--54.

Nay: Brumbaugh, Calvey, Cooksey, Derby, Dunlap, Dunnington, Faight, Grau, Hardin, Kern, McCall, McDaniel (Jeannie), McDaniel (Randy), Moore, Murphey, O'Donnell, Peterson, Proctor, Roberts (Sean), Rousselot, Sears, Shelton, Stone, Strohm, Wesselhoft, Young.--26.

Excused: Banz, Brown, Christian, Denney, Enns, Fisher, Fourkiller, Inman, Kannady, Kouplun, McPeak, Morrissette, Nelson, Nollan, Ritze, Russ, Virgin, Walker, Williams.--19.

Vacancy: District 73, District 85.--2.

The measure passed.

SB 456 was referred for engrossment.

MOTION EXPIRED

Time expired for consideration of the motion to reconsider the vote whereby **SB 114** passed.

SB 114 was referred for engrossment.

MOTION EXPIRED

Time expired for consideration of the motion to reconsider the vote whereby the emergency passed on **SB 189**.

The Presiding Officer signed, in open session, Engrossed **SB 189** and ordered same returned to the Honorable Senate.

MOTION EXPIRED

Time expired for consideration of the motion to reconsider the vote whereby the emergency failed on **SB 635**.

The Presiding Officer signed, in open session, Engrossed **SB 635** and ordered same returned to the Honorable Senate.

MESSAGES FROM THE SENATE

Announcing the concurrence of Senate in **HAS** to **SB 782** and the passage of said measure, as amended thereby.

Returning engrossed measures, as amended

Announcing the passage of and returning engrossed measures as amended: **HBs 1124, 1322, 1403**, Coauthored by Representative Biggs, **1508, 1614, 1717**, Coauthored by Representatives Sherrer, Loring, **1732, 1902**, Coauthored by Senator Brooks and Representatives Walker, Shelton, Matthews, Ritze, Nollan, **2154**, Coauthored by Representatives Roberts (Sean), Perryman, Nollan and Senators Standridge, Sharp, Yen, Newberry and **2208**.

Senate amendments were read on the above-numbered measures.

Transmitting enrolled measures

Advising fourth reading of and transmitting for signature Enrolled **SBs 11, 20, 54, 97, 214, 223, 234, 236, 246, 247, 255, 297, 347, 348, 411, 434, 516, 560, 658, 690, 701, 753** and **774**.

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

Conference requested

Advising rejection of **HAs** to **SB 323** and requesting conference thereon, the Senate naming conferees later.

Returning enrolled measures

Announcing that Enrolled **HBs 1040, 1149, 1274, 1294, 1318, 1405, 1437, 1548, 1806** and **1857** 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 1691** and **1774**.

The above-numbered measures were referred for enrollment.

Transmitting engrossed measure

Announcing the passage of **SCR 18**. The measure was introduced and read.

SCR 18 – By Quinn of the Senate and Derby of the House.

A Concurrent Resolution recalling from the Office of the Governor Enrolled Senate Bill No. 542, passed by the 1st Session of the 55th Oklahoma Legislature.

Representative Billy moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 1:30 p.m., Monday, April 20, 2015, which was the order.

Pursuant to the motion of Representative Billy, the House was adjourned at 10:35 a.m., to reconvene Monday, April 20, 2015, at 1:30 p.m.