

HOUSE JOURNAL

First Regular Session of the Fifty-fifth Legislature

of the State of Oklahoma

Fifty-fifth Legislative Day, Monday, May 11, 2015

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

The roll was called with 98 Members present.

The following Member was excused: Christian.—1.

Vacancy: District 73, District 85.—2.

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Dr. Joe Ligon, First Baptist Church, Marlow. Dr. Ligon was sponsored by Representative Biggs.

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HBs 1052, 1403, 1630, 1681, 2014 and 2181 were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

HR 1021 was reported correctly enrolled, properly signed, in open session, and ordered transmitted to the Secretary of State.

CONFERENCE GRANTED

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

SB 114 – Conference Committee on Elections and Ethics

SB 356 – Conference Committee on Environmental Law

SB 410 – Conference Committee on Criminal Justice and Corrections

SB 630 – Conference Committee on Common Education

SB 706 – Conference Committee on Common Education

RESOLUTION FOR CONSIDERATION

HR 1023 was called up for consideration.

Upon motion of Representative Proctor, **HR 1023** was considered and adopted.

HR 1023 was referred for enrollment.

PENDING CONSIDERATION OF SAs

SAs to HB 1902 were called up for consideration.

Coauthored by Representative(s) Perryman

Coauthored by Senator(s) Matthews

Upon motion of Representative Johnson, the House concurred in the **SAs to HB 1902**.

HB 1902, as amended by the Honorable Senate, was read at length for the fourth time and the roll was called on the measure and emergency as follows:

Aye: Banz, Bennett, Biggs, Billy, Brown, Brumbaugh, Caldwell, Cannaday, Casey, Cleveland, Cockroft, Condit, Coody (Ann), Coody (Jeff), Cooksey, Cox, Denney, Derby, Dunlap, Dunnington, Echols, Enns, Faught, Fisher, Fourkiller, Grau, Griffith, Hall, Hardin, Henke, Hoskin, Johnson, Jordan, Joyner, Kannady, Kern, Leewright, Lepak, Lockhart, Loring, Martin (Scott), McBride, McCall, McCullough, McDaniel (Jeannie), McDaniel (Randy), McPeak, Montgomery, Moore, Mulready, Murdock, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Park, Perryman, Peterson, Pfeiffer, Proctor, Pruett, Renegar, Ritze, Roberts (Dustin), Roberts (Sean), Rogers, Rousselot, Russ, Sanders, Scott, Sears, Shelton, Sherrer, Shoemake, Stone, Strohm, Tadlock, Thomsen, Vaughan, Virgin, Walker, Wallace, Watson, Wesselhoft, Wood, Wright, Young, Mr. Speaker.--92.

Nay: Kirby.--1.

Excused: Calvey, Christian, Inman, Kouplen, Morrissette, Williams.--6.

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

The measure and emergency passed.

Senate amendments were properly signed, in open session, and the above-numbered measure was referred for enrollment.

PENDING CONSIDERATION OF SAs

SAs to HB 2166 were called up for consideration.

Upon motion of Representative McCullough, the House concurred in the **SAs to HB 2166**.

HB 2166, as amended by the Honorable Senate, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Banz, Bennett, Billy, Brown, Brumbaugh, Caldwell, Calvey, Cannaday, Casey, Cleveland, Cockroft, Condit, Coody (Ann), Coody (Jeff), Cooksey, Cox, Denney, Derby, Dunlap, Dunnington, Echols, Enns, Faught, Fisher, Fourkiller, Grau, Griffith, Hall, Hardin, Henke, Hoskin, Inman, Johnson, Jordan, Joyner, Kannady, Kern, Kirby, Kouplen, Leewright, Lepak, Lockhart, Loring, Martin (Scott), McBride, McCall, McCullough, McDaniel (Jeannie), McDaniel (Randy), Montgomery, Moore, Mulready, Murdock, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pfeiffer, Proctor, Pruett, Renegar, Ritze, Roberts (Dustin), Roberts (Sean), Rogers, Rousselot, Russ, Sanders, Scott, Shoemake, Strohm, Tadlock, Thomsen, Vaughan, Virgin, Walker, Wallace, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--88.

Nay: McPeak, Shelton, Sherrer, Stone, Williams, Young.--6.

Excused: Biggs, Christian, Morrissette, Park, Sears.--5.

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

The measure passed.

Senate amendments were properly signed, in open session, and the above-numbered measure was referred for enrollment.

SECOND READING

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

HB 2236 – Joint Committee on Appropriations and Budget

RECONSIDERATION

Representative Grau moved to reconsider the vote whereby the emergency failed on **HB 1150**, which motion prevailed upon roll call as follows:

Aye: Banz, Bennett, Brumbaugh, Caldwell, Casey, Cleveland, Cockroft, Condit, Coody (Jeff), Cooksey, Cox, Denney, Derby, Dunlap, Dunnington, Echols, Enns, Fisher, Grau, Griffith, Hall, Henke, Johnson, Jordan, Joyner, Kannady, Kern, Lepak, Martin (Scott), McBride, McCall, McDaniel (Jeannie), McDaniel (Randy), Montgomery, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Ownbey, Peterson, Pfeiffer, Pruett, Roberts (Dustin), Roberts (Sean), Rogers, Russ, Sears, Thomsen, Vaughan, Virgin, Walker, Wallace, Watson, Williams, Wood, Wright, Mr. Speaker.--60.

Nay: Cannaday, Fourkiller, Hoskin, Inman, Kouplen, Lockhart, Loring, McPeak, Moore, Perryman, Proctor, Renegar, Ritze, Rousselot, Scott, Shelton, Sherrer, Shoemake, Stone, Strohm, Wesselhoft, Young.--22.

Excused: Biggs, Billy, Brown, Calvey, Christian, Coody (Ann), Faught, Hardin, Kirby, Leewright, McCullough, Morrissette, Murdock, Osborn, Park, Sanders, Tadlock.--17.

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

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

Aye: Banz, Billy, Brumbaugh, Caldwell, Calvey, Casey, Cleveland, Cockroft, Condit, Coody (Ann), Coody (Jeff), Cooksey, Cox, Denney, Dunlap, Dunnington, Echols, Enns, Faught, Fisher, Grau, Griffith, Hall, Henke, Johnson, Jordan, Joyner, Kannady, Kern, Leewright, Lepak, Martin (Scott), McBride, McCall, McDaniel (Jeannie), McDaniel (Randy), Montgomery, Moore, Mulready, Murdock, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Ownbey, Park, Peterson, Pfeiffer, Pruett, Roberts (Dustin), Roberts (Sean), Rogers, Russ, Sanders, Sears, Stone, Thomsen, Vaughan, Virgin, Walker, Wallace, Watson, Williams, Wood, Wright, Mr. Speaker.--68.

Nay: Cannaday, Derby, Fourkiller, Hardin, Hoskin, Inman, Kouplen, Lockhart, Loring, McPeak, Morrissette, Perryman, Proctor, Renegar, Ritze, Scott, Shelton, Sherrer, Shoemake, Strohm, Wesselhoft, Young.--22.

Excused: Bennett, Biggs, Brown, Christian, Kirby, McCullough, Osborn, Rousselot, Tadlock.--9.

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

The emergency passed.

Senate amendments were properly signed, in open session, and the above-numbered measure was referred for enrollment.

PENDING CONSIDERATION OF SAs

SAs to HB 1823 were rejected and conference requested upon motion of Representative Martin. The Speaker named the Conference Committee on Common Education.

PENDING CONSIDERATION OF SAs

SAs to HB 1619 were rejected and conference requested upon motion of Representative Derby. The Speaker named the Conference Committee on State Government Operations.

MESSAGES FROM THE SENATE

Advising fourth reading of and transmitting for signature Enrolled **SBs 386, 430, 456, 562 and 797**.

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

Conferees named

Advising naming Senate Conferees as follows:

SB 379 – Newberry, Dahm, Bice, Fields, Crain, Bass, Wyrick
SB 694 – GCCA

Conference granted

Advising conference granted and the Senate naming GCCA as conferees as follows:

HB 1065
HB 1498
HB 1619
HB 1690
HB 1693
HB 1747
HB 1778
HB 2161

Advising conference granted and the Senate naming conferees as follows:

HB 1037 – Holt, Justice, Marlatt, Treat, Griffin, Paddack, Bass
HB 1124 – Anderson, Standridge, Treat, Crain, David, Paddack, Pittman
HB 1321 – Ford, Halligan, Stanislowski, Smalley, Treat, Paddack, Garrison

HB 1322 – Allen, Dahm, Marlatt, Bice, Holt, Pittman, Floyd
HB 1430 – Griffin, Newberry, Bice, Sykes, Simpson, Sparks, Floyd
HB 1516 – David, Barrington, Griffin, Shaw, Floyd, Pittman, Treat
HB 1604 – Quinn, Ford, Halligan, Smalley, Stanislawski, Sparks, Garrison
HB 1714 – Shaw, Sykes, David, Crain, Sharp, Floyd, Sparks
HB 1725 – Sykes, Jolley, Treat, Griffin, Marlatt, Matthews, Pittman
HB 1776 – Simpson, Dahm, David, Brooks, Standridge, Paddack, Wyrick
HB 1823 – Jolley, Ford, Stanislawski, Sharp, Smalley, Garrison, Floyd
HB 2049 – Treat, Ford, Halligan, Smalley, Sharp, Garrison, Wyrick
HB 2069 – Griffin, Ford, David, Treat, Halligan, Floyd, Matthews
HB 2088 – Treat, Ford, Stanislawski, Halligan, Smalley, Pittman, Paddack
HB 2169 – Newberry, Sykes, Thompson, Treat, Dahm, Floyd, Sparks
HB 2217 – Stanislawski, Brown, Jech, Treat, Sparks, Bass, Standridge

Conference requested

Advising rejection of **HAs** to **SB 378** and requesting conference thereon, the Senate naming conferees later.

Returning enrolled measures

Announcing that Enrolled **HBs 1052, 1403, 1630, 1681, 2014** and **2181** 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 named

Advising naming Senate Conferees as follows:

SB 378 – Newberry, Sykes, Thompson, Griffin, Boggs, Matthews, Sparks

FIRST READING

The following was introduced and read for the first time:

HJR 1030 – By Echols.

A Joint Resolution disapproving in part proposed permanent rule of the Statewide Virtual Charter School Board; and directing distribution.

RESOLUTIONS

The following were introduced and read:

HR 1026 – By Wesselhoft, Bennett, Brumbaugh, Calvey, Coody (Jeff), Cooksey, Cox, Faught, Fisher, Jordan, Kern, Kirby, Moore, Mulready, Murdock, Murphey, Newell, Osborn, Park, Peterson, Ritze, Roberts (Sean), Scott, Vaughan, Walker and Wood.

A Resolution directing the University of Oklahoma and the Fred Jones Jr. Museum of Art to conduct provenance research on objects in the collection and prior to acquisition of certain objects; directing certain resolution regarding objects unlawfully appropriated during the Nazi era; and directing distribution.

HR 1027 – By Echols.

A Resolution declaring May 13, 2015, as Lupus Advocacy Day and May 2015 as Lupus Awareness Month in Oklahoma; and directing distribution.

HR 1028 – By Moore.

A Resolution celebrating the thirty-fifth anniversary of the Sister-State relationship between the State of Oklahoma and Taiwan; expressing support for Taiwan's growing role in the international community; recognizing the May 2014 mutual agreement on the Reciprocal Issuance of Driver Licenses; commending Taiwan for its East China Sea Peace Initiative; and directing distribution.

HR 1029 – By Shelton.

A House Resolution urging public schools, universities and state agencies to cease displaying certain flag and fly certain flag instead; and directing distribution.

MESSAGES FROM THE GOVERNOR

Advising of her approval of **HBs 1614** and **1825** on May 8, 2015.

Advising of her approval of **HBs 1044, 1047** and **2235** on May 11, 2015.

Advising of her veto of **HB 1748** on May 11, 2015. The veto message reads as follows:

To the Honorable Speaker of the House
and Members of the House of Representatives
First Regular Session, Fifty-fifth Oklahoma Legislature

Enrolled House Bill No. **1748**

By: Newell et al of the House and Treat et al of the Senate

This is to advise you that on this date, pursuant to the authority vested in me by Section 11 of Article VI of the Oklahoma Constitution to approve or object to legislation presented to me, I have VETOED House Bill **1748**.

House Bill **1748** (Bill) would require each State agency to separately publish, either on its website or in a written report, extensive information about the federal funding it received

that year, including ranking the amount of funding it received and the costs or conditions associated with receipt. This Bill is strikingly similar to House Bill **1917**, which I vetoed in 2013.

My significant concerns about this Bill remain unchanged. Like House Bill **1917**, this Bill will likely cause agencies to re-direct staff from essential duties or even to hire additional staff in order to meet these new and onerous reporting obligations. And although government transparency and fiscal accountability are critical, this important information is already publicly available. For example, the Office of Management and Enterprise Services (OMES) currently publishes a Federal Funding Schedule at http://www.ok.gov/OSF/Budget/Federal_Funding_Schedule.html that lists federal funds received by State agencies. OMES also publishes the State of Oklahoma Executive budget book that provides data for each State agency and the source of funding, including federal funds (<http://www.ok.gov/OSF/documents/bud16.pdf>). Additionally, information regarding federal funding is presented in Oklahoma's Comprehensive Annual Financial Reports (<http://www.ok.gov/OSF/documents/cafr14.pdf>).

Lean, efficient government does not require its workers to repackage or reformat information that those same workers have already placed within the public domain. As with its predecessor, I cannot approve this Bill that—however well-intentioned—takes a step back from the significant gains recently made in streamlining State government.

By the Governor of the State of Oklahoma

/s/ Mary Fallin

Representative Billy moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 9:00 a.m., Tuesday, May 12, 2015, which was the order.

Pursuant to the motion of Representative Billy, the House was adjourned at 2:25 p.m., to reconvene Tuesday, May 12, 2015, at 9:00 a.m.