

# HOUSE JOURNAL

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

**of the State of Oklahoma**

**Fifty-ninth Legislative Day, Friday, May 15, 2015**

The House was called to order by Representative Hall.

The roll was called with 80 Members present.

The following Members were excused: Banz, Bennett, Billy, Brown, Cox, Derby, Griffith, Johnson, Kannady, Kirby, Kouplen, Loring, Peterson, Pruett, Renegar, Ritze, Rousselot, Tadlock, Wesselhoft.—19.

District 73, District 85.—2.

Representative Hall declared a quorum present.

Prayer was offered by Pastor Scot Overbey, Faith Bible Church, Edmond.  
Pastor Overbey was sponsored by Representative Moore.

The Journal for the last legislative day was approved.

## **SECOND READING**

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

**HB 2241** – Joint Committee on Appropriations and Budget

**HB 2242** – Joint Committee on Appropriations and Budget

**PENDING CONSIDERATION OF CCR**

Upon motion of Representative Cleveland, the **CCR** on **HB 1116** was rejected and further conference requested. The Speaker named the same conferees:

**HB 1116** – GCCA

**PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 1687** was called up for consideration.

Upon motion of Representative Denney, the **CCR** on **HB 1687** was adopted.

**HB 1687**, as amended in conference, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Brumbaugh, Caldwell, Calvey, Cannaday, Casey, Christian, Cockroft, Condit, Coody (Ann), Cooksey, Denney, Dunlap, Dunnington, Enns, Faught, Fisher, Grau, Hall, Hardin, Hoskin, Inman, Jordan, Joyner, Kern, Leewright, Lepak, Lockhart, Martin (Scott), McBride, McCullough, McDaniel (Jeannie), McDaniel (Randy), Montgomery, Moore, Morrisette, Mulready, Murdock, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Park, Perryman, Pfeiffer, Proctor, Roberts (Sean), Rogers, Sanders, Sears, Shelton, Sherrer, Shoemake, Stone, Strohm, Vaughan, Virgin, Walker, Wallace, Watson, Wood, Wright, Young, Mr. Speaker.--67.

Excused: Banz, Bennett, Biggs, Billy, Brown, Cleveland, Coody (Jeff), Cox, Derby, Echols, Fourkiller, Griffith, Henke, Johnson, Kannady, Kirby, Kouplen, Loring, McCall, McPeak, Peterson, Pruett, Renegar, Ritze, Roberts (Dustin), Rousselot, Russ, Scott, Tadlock, Thomsen, Wesselhoft, Williams.--32.

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

The measure passed.

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

Aye: Brumbaugh, Caldwell, Calvey, Casey, Christian, Cleveland, Cockroft, Condit, Coody (Ann), Coody (Jeff), Cooksey, Denney, Dunlap, Enns, Faught, Fisher, Hall, Hardin, Hoskin, Inman, Jordan, Joyner, Kern, Leewright, Lepak, Lockhart, Martin (Scott), McBride, McCullough, McDaniel (Jeannie), McDaniel (Randy), Montgomery, Moore, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Park, Pfeiffer, Roberts (Sean), Rogers, Russ, Shelton, Sherrer, Strohm, Thomsen, Vaughan, Virgin, Wallace, Watson, Wood, Wright, Mr. Speaker.--58.

Nay: Morrisette, Proctor, Young.--3.

Excused: Banz, Bennett, Biggs, Billy, Brown, Cannaday, Cox, Derby, Dunnington, Echols, Fourkiller, Grau, Griffith, Henke, Johnson, Kannady, Kirby, Kouplen, Loring, McCall, McPeak, Murdock, Perryman, Peterson, Pruett, Renegar, Ritze, Roberts (Dustin), Rousselot, Sanders, Scott, Sears, Shoemake, Stone, Tadlock, Walker, Wesselhoft, Williams.--38.

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

The emergency failed.

Representative Denney served notice to reconsider the vote whereby the emergency failed.

## **MOTION**

Upon motion of Representative Cockroft, Pastor Scot Overbey was confirmed as House Chaplain for this legislative day.

## **RESOLUTION FOR CONSIDERATION**

**HR 1030** was called up for consideration.

Upon motion of Representative Moore, **HR 1030** was considered and adopted.

**HR 1030** was referred for enrollment.

## **RESOLUTION FOR CONSIDERATION**

**HR 1031** was called up for consideration.

Upon motion of Representative Fisher, **HR 1031** was considered and adopted upon roll call as follows:

Aye: Brumbaugh, Cannaday, Christian, Cleveland, Condit, Dunnington, Fisher, Fourkiller, Grau, Hoskin, Inman, Jordan, Kern, Lockhart, Martin (Scott), McPeak, Montgomery, Moore, Morrisette, Mulready, Murphey, Ortega, Ownbey, Perryman, Proctor, Roberts (Sean), Rogers, Russ, Scott, Sherrer, Shoemake, Stone, Strohm, Vaughan, Virgin, Walker, Williams, Wood, Young.--39.

Nay: Caldwell, Calvey, Casey, Cockroft, Coody (Ann), Coody (Jeff), Cooksey, Denney, Dunlap, Enns, Hall, Hardin, Joyner, Leewright, Lepak, McBride, McCullough, McDaniel (Jeannie), McDaniel (Randy), Murdock, Park, Pfeiffer, Sanders, Sears, Thomsen, Wallace, Watson, Wright, Mr. Speaker.--29.

Excused: Banz, Bennett, Biggs, Billy, Brown, Cox, Derby, Echols, Faught, Griffith, Henke, Johnson, Kannady, Kirby, Kouplen, Loring, McCall, Nelson, Newell, Nollan, O'Donnell, Osborn, Peterson, Pruett, Renegar, Ritze, Roberts (Dustin), Rousselot, Shelton, Tadlock, Wesselhoft.--31.

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

**HR 1031** was referred for enrollment.

## **MESSAGES FROM THE SENATE**

Announcing the passage of **SCR 14**. The measure was introduced and read.

**SCR 14** – By Jolley, Allen, Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brinkley, Brooks, Brown, Crain, Dahm, David, Fields, Floyd, Ford, Fry, Garrison, Griffin, Halligan, Holt, Jech, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Shumate, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen of the Senate and Grau of the House.

A Concurrent Resolution honoring America's oldest professor, Dr. Harold Fletcher; thanking him for his many contributions to higher education in Oklahoma; and directing distribution.

### **Conference requested**

Advising rejection of **HAs to SBs 468** and **548** and requesting conference thereon, the Senate naming conferees later.

### **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 173**

**SB 502**, Coauthored by Senator Bingman

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

### **Veto override**

Transmitting herewith Enrolled **SB 549** together with the Governor's Veto Message thereon, and advising that under the provisions of Article VI, Section 11, of the Constitution of the State of Oklahoma, the Senate has reconsidered and passed said bill over the Governor's veto by a two-thirds vote of all members elected to and constituting the Senate, said vote being as follows: Ayes: 36, Nays: 0.

**Conferees named**

Advising naming Senate Conferees as follows:

**SB 468** – Marlatt, Bingman, Justice, Griffin, Fields, Wyrick, Garrison  
**SB 548** – GCCA

**Further conference granted**

Advising further conference granted on **HBs** and the Senate naming same conferees as follows:

**HB 1116** – GCCA

**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 459** – GCCA  
**SB 592** – GCCA

**CCRs SUBMITTED**

The conference committee reports were read on the following measures:

**HB 1002**  
**HB 1773**  
**HB 1827**

**COMMITTEE REPORTS**

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

DO PASS, As Amended:

**CS for HJR 1030** – Administrative Rules, Remove Representative Echols as principal House author and substitute with Representative Faught

**FIRST READING**

The following were introduced and read for the first time:

**HB 2243** – By Sears and Casey of the House and Jolley and Treat of the Senate.

An Act relating to tax revenue apportionment; amending 68 O.S. 2011, Sections 1353, as amended by Section 540, Chapter 304, O.S.L. 2012, and 1403, as amended by Section 542, Chapter 304, O.S.L. 2012 (68 O.S. Supp. 2014, Sections 1353 and 1403), which relate to apportionment of sales and use tax; modifying apportionment of sales and use tax revenue to certain funds based on specified limits; providing for distribution of amounts in excess of limits; providing an effective date; and declaring an emergency.

**HB 2244** – By Sears and Casey of the House and Jolley and Treat of the Senate.

An Act relating to motor vehicles; amending 47 O.S. 2011, Section 1104, as amended by Section 1, Chapter 347, O.S.L. 2012 (47 O.S. Supp. 2014, Section 1104), which relates to apportionment of motor vehicle fees, taxes and penalties; placing limits on certain apportionments; providing for distribution of amounts in excess of limits; removing certain deduction for certain apportionment; deleting certain minimum apportionment requirements; providing an effective date; and declaring an emergency.

**HB 2245** – By Sears and Casey of the House and Jolley and Treat of the Senate.

An Act relating to the Oklahoma Arts Council; amending 53 O.S. 2011, Section 174, which relates to incentive grants for visual arts programs in schools; modifying authorized uses of incentive grant funding; providing an effective date; and declaring an emergency.

**HB 2246** – By Sears and Casey of the House and Jolley and Treat of the Senate.

An Act relating to state government; amending 74 O.S. 2011, Section 500.2, as last amended by Section 1, Chapter 109, O.S.L. 2014 (74 O.S. Supp. 2014, Section 500.2), which relates to the State Travel Reimbursement Act; authorizing the Office of Educational Quality and Accountability to enter into contracts for payment of certain expenses relating to conferences, meetings and training sessions; allowing the Office of Educational Quality and Accountability to establish necessary accounts; providing for direct payment of expenses; limiting the cost of food under certain conditions; providing an effective date; and declaring an emergency.

**HJR 1035** – By Hickman of the House and Bingman of the Senate.

A Joint Resolution expressing the legislative intent of House Joint Resolution No. 1012 of the 1st Session of the 55th Oklahoma Legislature; stating that the proposed constitutional amendment will ensure certain protections; stating the proposed constitutional amendment is intended to prevent certain government regulations and restrictions; stating the intent of the proposed constitutional amendment is to provide certain communications; and declaring an emergency.

**RESOLUTIONS**

The following was introduced and read:

**HCR 1013** – By Nelson of the House and Treat of the Senate.

A Concurrent Resolution relating to Developmental Disabilities Services Division; recognizing the problem of a lengthy waiting list for waiver services; stating findings of

Governor's Blue Ribbon Panel for Developmental Disabilities; requesting Department of Human Services to implement a waiting list based on a Prioritization of Need ranking; and directing distribution.

Representative Hardin moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 1:30 p.m., Monday, May 18, 2015, which was the order.

Pursuant to the motion of Representative Hardin, the House was adjourned at 9:55 a.m., to reconvene Monday, May 18, 2015, at 1:30 p.m.