HOUSE JOURNAL

First Regular Session of the Fifty-fifth Legislature

of the State of Oklahoma

Sixtieth Legislative Day, Monday, May 18, 2015

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

The roll was called with 97 Members present.

The following Members were excused: Cooksey, Johnson.—2.

Vacancy: District 73, District 85.—2.

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Reverand Sonja Tobey, First United Methodist Church, Vinita. Reverand Tobey was sponsored by Representative Hoskin.

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HRs 1030 and **1031** were 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 468 – Conference Committee on Environmental Law
SB 548 – GCCA

SECOND READING

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

HB 2243 – Joint Committee on Appropriations and Budget
HB 2244 – Joint Committee on Appropriations and Budget
HB 2245 – Joint Committee on Appropriations and Budget
HB 2246 – Joint Committee on Appropriations and Budget
HJR 1035 – Direct To Calendar

MESSAGES FROM THE SENATE

Advising fourth reading of and transmitting for signature Enrolled **SB 498**.

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

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1002** was called up for consideration.

Upon motion of Representative McDaniel (Randy), the **CCR** on **HB 1002** was adopted.

HB 1002, 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: Banz, Billy, Brown, Brumbaugh, Caldwell, Calvey, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody (Ann), Coody (Jeff), Cox, Denney, Derby, Dunlap, Dunnington, Echols, Faught, Grau, Griffith, Hall, Hardin, Henke, Hoskin, Inman, Jordan, Joyner, Kannady, Kern, Kirby, Kouplen, Leewright, Lepak, Lockhart, Loring, Martin (Scott), McBride, McCall, McCullough, McDaniel (Jeannie), McDaniel (Randy), McPeak, Montgomery, Moore, Morrissette, Mulready, Murdock, Murphey, Nelson, Nollan, O'Donnell, Osborn, Ownbey, Park, Perryman, Peterson, Pfeiffer, Proctor, Pruett, Ritze, Roberts (Sean), Rogers, Rousselot, Russ, Sanders, Scott, Sears, Shelton, Sherrer, Shoemake, Stone, Strohm, Tadlock, Thomsen, Vaughan, Virgin, Walker, Wallace, Watson, Wesselhoft, Williams, Wood, Wright, Young, Mr. Speaker.--88.

Excused: Bennett, Biggs, Cooksey, Enns, Fisher, Fourkiller, Johnson, Newell, Ortega, Renegar, Roberts (Dustin).--11.

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

The measure and emergency passed.

HB 1002, together with the conference committee report thereon, was ordered transmitted to the Honorable Senate.

Representative Newell Presiding

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1693** was called up for consideration.

Upon motion of Representative Calvey, the **CCR** on **HB 1693** was adopted.

HB 1693, as amended in conference, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Banz, Biggs, Billy, Brumbaugh, Caldwell, Calvey, Casey, Christian, Cleveland, Cockroft, Coody (Jeff), Denney, Derby, Dunlap, Echols, Enns, Faught, Fisher, Grau, Hall, Hardin, Jordan, Joyner, Kannady, Kern, Kirby, Leewright, Lepak, Martin (Scott), McBride, McCall, McCullough, McDaniel (Randy), Montgomery, Moore, Mulready, Murdock, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Ownbey, Park, Peterson, Pfeiffer, Pruett, Ritze, Roberts (Dustin), Roberts (Sean), Rogers, Russ, Sanders, Sears, Strohm, Vaughan, Walker, Wallace, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--64.

Nay: Brown, Cannaday, Condit, Coody (Ann), Dunnington, Fourkiller, Griffith, Hoskin, Inman, Kouplen, Lockhart, Loring, McDaniel (Jeannie), McPeak, Morrissette, Perryman, Proctor, Renegar, Rousselot, Scott, Shelton, Sherrer, Shoemake, Stone, Tadlock, Thomsen, Virgin, Williams, Young.--29.

Excused: Bennett, Cooksey, Cox, Henke, Johnson, Osborn.--6.

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

The measure passed.

HB 1693, together with the conference committee report thereon, was ordered transmitted to the Honorable Senate.

RECONSIDERATION

Representative Denney moved to reconsider the vote whereby the emergency on **HB 1687** failed, which motion prevailed upon roll call as follows:

Aye: Banz, Billy, Brown, Brumbaugh, Caldwell, Calvey, Cannaday, Christian, Cleveland, Cockroft, Condit, Coody (Ann), Coody (Jeff), Denney, Derby, Dunlap,

Dunnington, Echols, Enns, Faught, Fisher, Grau, Griffith, Hall, Hardin, Henke, Hoskin, Inman, Jordan, Joyner, Kannady, Kern, Kirby, Leewright, Lepak, Lockhart, Martin (Scott), McBride, McCall, McCullough, McDaniel (Jeannie), McDaniel (Randy), Montgomery, Moore, Morrissette, Mulready, Murdock, Murphey, Nelson, Newell, O'Donnell, Ortega, Osborn, Ownbey, Park, Perryman, Peterson, Pfeiffer, Proctor, Pruett, Ritze, Roberts (Dustin), Roberts (Sean), Rogers, Rousselot, Russ, Sanders, Sears, Shelton, Sherrer, Shoemake, Stone, Strohm, Thomsen, Vaughan, Virgin, Wallace, Wesselhoft, Williams, Wood, Wright, Young, Mr. Speaker.--83.

Excused: Bennett, Biggs, Casey, Cooksey, Cox, Fourkiller, Johnson, Kouplen, Loring, McPeak, Nollan, Renegar, Scott, Tadlock, Walker, Watson.--16.

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

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

Aye: Banz, Billy, Brown, Brumbaugh, Caldwell, Calvey, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody (Ann), Coody (Jeff), Cox, Denney, Derby, Dunlap, Dunnington, Echols, Faught, Fisher, Fourkiller, Grau, Griffith, Hall, Hardin, Henke, Hoskin, Inman, Jordan, Joyner, Kannady, Kern, Kirby, Kouplen, Leewright, Lepak, Lockhart, Loring, Martin (Scott), McBride, McCall, McCullough, McDaniel (Jeannie), McDaniel (Randy), McPeak, Montgomery, Moore, Morrissette, 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, Sherrer, Shoemake, Stone, Strohm, Thomsen, Vaughan, Virgin, Walker, Wallace, Wood, Wright, Young, Mr. Speaker.--89.

Excused: Bennett, Biggs, Cooksey, Enns, Johnson, Shelton, Tadlock, Watson, Wesselhoft, Williams.--10.

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

The emergency passed.

HB 1687, together with the conference committee report thereon, was ordered transmitted to the Honorable Senate.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 173** was called up for consideration.

Upon motion of Representative Banz, the **CCR** on **SB 173** was adopted.

SB 173, as amended in conference, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Banz, Billy, Brown, Caldwell, Calvey, Cannaday, Casey, Condit, Coody (Ann), Cox, Denney, Dunlap, Dunnington, Echols, Enns, Faught, Fourkiller, Griffith, Hardin, Henke, Hoskin, Inman, Joyner, Kannady, Kern, Kirby, Kouplen, Lepak, Lockhart, Loring, Martin (Scott), McCullough, McDaniel (Jeannie), McDaniel (Randy), McPeak, Morrissette, Mulready, Osborn, Ownbey, Park, Perryman, Peterson, Pfeiffer, Proctor, Pruett, Renegar, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Scott, Sears, Shelton, Sherrer, Shoemake, Stone, Tadlock, Thomsen, Vaughan, Virgin, Watson, Wesselhoft, Wood, Wright, Young, Mr. Speaker.--66.

Nay: Brumbaugh, Christian, Cleveland, Cockroft, Coody (Jeff), Derby, Fisher, Grau, Hall, Jordan, Leewright, McBride, McCall, Montgomery, Moore, Murphey, Nelson, Newell, O'Donnell, Ritze, Rogers, Sanders, Strohm, Wallace, Williams.--25.

Excused: Bennett, Biggs, Cooksey, Johnson, Murdock, Nollan, Ortega, Walker.--8.

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

The measure passed.

SB 173, together with the conference committee report thereon, was ordered returned to the Honorable Senate.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 502** was called up for consideration.

Coauthored by Senator(s) Jech

Upon motion of Representative Sears, the **CCR** on **SB 502** was adopted.

SB 502, as amended in conference, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Banz, Biggs, Billy, Brumbaugh, Caldwell, Calvey, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody (Ann), Coody (Jeff), Cox, Denney, Derby, Dunlap, Echols, Enns, Faught, Fisher, Fourkiller, Grau, Griffith, Hall, Hardin, Henke, Hoskin, Inman, Jordan, Joyner, Kannady, Kern, Kirby, Kouplen, Leewright, Lepak, Lockhart, Loring, Martin (Scott), McBride, McCall, McCullough, McDaniel (Jeannie), McDaniel (Randy), Montgomery, Moore, Morrissette, Mulready, Murdock, Murphey, Nelson, Newell, O'Donnell, Ortega, Osborn, Ownbey, Park, Perryman, Peterson, Pfeiffer, Proctor, Pruett, Renegar, Ritze, Roberts (Dustin), Roberts (Sean), Rogers, Rousselot, Russ, Sanders, Scott, Sears, Sherrer, Shoemake, Stone, Strohm, Tadlock, Thomsen, Vaughan, Virgin, Walker, Wallace, Watson, Wesselhoft, Wood, Wright, Young, Mr. Speaker.--90.

Nay: Brown, Dunnington, McPeak, Shelton, Williams.--5.

Excused: Bennett, Cooksey, Johnson, Nollan.--4.

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

The measure passed.

SB 502, together with the conference committee report thereon, was ordered returned to the Honorable Senate.

MOTION

Representative Denney moved that **HR 1031** be recalled from enrollment and that the vote on adoption of the same be rescinded.

Representative Inman raised a point of order as to what House rule permitted consideration of a motion to rescind. The Presiding Officer ruled that the motion to rescind is a commonly used motion and that it would be up to the House to decide whether to adopt the motion to rescind.

Representative Proctor raised a point of inquiry as to when it would be in order to offer a motion to rescind, to which the Presiding Officer responded that for a motion to rescind to be in order, the relevant measure must be in the possession of the House, the time period for offering a motion to reconsider must have already passed and the motion to rescind must be scheduled through the Majority Floor Leader.

Representative Denney withdrew the motion to recall **HR 1031** from enrollment and to rescind the vote whereby **HR 1031** passed.

Representative Cleveland raised a point of order as to what the purpose would be of using the reconsideration process when a motion to rescind could also be offered at a later time. The Presiding Officer ruled that the motion to rescind was a proper motion, both under House Rules and general parliamentary procedure.

GENERAL ORDER

HB 2237 by Hickman of the House and Bingman of the Senate was read and considered.

Speaker Hickman moved adoption of the Joint Committee Report on **HB 2237**, which motion was declared adopted.

THIRD READING

HB 2237 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Banz, Billy, Brown, Calvey, Cannaday, Christian, Cleveland, Condit, Coody (Ann), Coody (Jeff), Cox, Denney, Dunnington, Echols, Fourkiller, Griffith, Hoskin, Inman, Joyner, Kannady, Kirby, Kouplen, Leewright, Lepak, Lockhart, Loring, Martin (Scott), McBride, McCall, McDaniel (Jeannie), McDaniel (Randy), McPeak, Montgomery, Morrissette, Mulready, Osborn, Park, Perryman, Proctor, Pruett, Renegar, Roberts (Dustin), Rousselot, Scott, Shelton, Sherrer, Shoemake, Stone, Tadlock, Thomsen, Virgin, Watson, Wesselhoft, Williams, Wood, Wright, Young, Mr. Speaker.--58.

Nay: Biggs, Brumbaugh, Caldwell, Casey, Cockroft, Derby, Dunlap, Enns, Faught, Fisher, Grau, Hall, Hardin, Henke, Jordan, Kern, McCullough, Moore, Murdock, Murphey, Newell, O'Donnell, Ortega, Ownbey, Peterson, Pfeiffer, Ritze, Roberts (Sean), Rogers, Russ, Sanders, Sears, Strohm, Vaughan, Walker, Wallace.--36.

Excused: Bennett, Cooksey, Johnson, Nelson, Nollan.--5.

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

The measure passed.

HB 2237 was referred for engrossment.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1827** was called up for consideration.

Upon motion of Representative Martin, the **CCR** on **HB 1827** was adopted.

HB 1827, as amended in conference, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Billy, Caldwell, Cannaday, Christian, Cockroft, Coody (Ann), Cox, Denney, Fourkiller, Griffith, Henke, Hoskin, Joyner, Kannady, Kirby, Lepak, Loring, Martin (Scott), McDaniel (Jeannie), McDaniel (Randy), Nelson, Ortega, Osborn, Ownbey, Perryman, Peterson, Pruett, Rousselot, Russ, Scott, Sears, Sherrer, Shoemake, Stone, Thomsen, Virgin, Wallace, Watson, Wood, Wright, Mr. Speaker.--41.

Nay: Banz, Biggs, Brown, Brumbaugh, Calvey, Casey, Cleveland, Coody (Jeff), Derby, Dunlap, Echols, Enns, Faught, Fisher, Hall, Hardin, Jordan, Kern, Kouplen, Leewright, Lockhart, McBride, McCall, McCullough, McPeak, Montgomery, Moore, Morrissette, Mulready, Murdock, Murphey, Newell, Park, Pfeiffer, Proctor, Renegar, Ritze, Roberts (Dustin), Roberts (Sean), Rogers, Shelton, Strohm, Tadlock, Vaughan, Walker, Wesselhoft, Williams.--47.

Excused: Bennett, Condit, Cooksey, Dunnington, Grau, Inman, Johnson, Nollan, O'Donnell, Young.--10.

Constitutional Priv: Sanders.--1.

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

The measure failed.

Representative Martin served notice to reconsider the vote whereby **HB 1827** failed.

MESSAGES FROM THE SENATE

Advising the Honorable House of Representatives that the Senate has rescinded the rejection of **HAs** to **SB 707**.

Returning engrossed measure

Announcing the passage of **HB 2236**.

The above-numbered measure was referred for enrollment.

Transmitting CCRs

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

SB 114

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

Conference granted

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

HB 2180 – Stanislawski, Ford, Halligan, Smalley, Jolley, Bass, Garrison
HB 2184 – Barrington, Sykes, Treat, Marlatt, Smalley, Wyrick, Floyd

Concurrence in HAs

Announcing the concurrence of Senate in **HAs** to **SB 789** and the passage of said measures, as amended thereby.

ENGROSSED AND ENROLLED MEASURES

HB 2237 was reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

CCRs SUBMITTED

The conference committee reports were read on the following measures:

HB 1014
HB 1124 (Conferees Unable to Agree)
HB 1890
HB 2049 (Conferees Unable to Agree)

MESSAGES FROM THE GOVERNOR

Advising of her approval of **HBs 1150, 1902** and **2166** on May 18, 2015.

Representative Billy moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 9:00 a.m., Tuesday, May 19, 2015, which was the order.

Pursuant to the motion of Representative Billy, the House was adjourned at 3:05 p.m., to reconvene Tuesday, May 19, 2015, at 9:00 a.m.