

HOUSE JOURNAL

Second Regular Session of the Fifty-fifth Legislature

of the State of Oklahoma

Fifty-third Legislative Day, Wednesday, May 4, 2016

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

The roll was called with 96 Members present.

The following Members were excused: Christian, Enns, Grau, McPeak, O'Donnell.—5.

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Associate Pastor Daniel Hayes, Unity Missionary Baptist Church, Duncan. Pastor Hayes was sponsored by Representative Johnson.

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HBs 1717, 3109 and 3167 were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

HRs 1055 and 1066 were reported correctly enrolled, properly signed, in open session, and ordered transmitted to the Secretary of State.

RESOLUTION FOR CONSIDERATION

HR 1068 was called up for consideration.

Upon motion of Speaker Hickman, **HR 1068** was considered and adopted.

HR 1068 was referred for enrollment.

MESSAGES FROM THE SENATE

Advising fourth reading of and transmitting for signature Enrolled **SBs 1150** and **1214**.

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

Conference granted

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

HB 1654 - Sharp, Brecheen, Marlatt, Schulz, Shaw, Wyrick, Paddack

HB 2205 - Sykes, Bingman, Jolley, Marlatt, Treat, Floyd, Sparks

HB 2436 - Justice, Newberry, Griffin, Dahm, Fields, Bass, Wyrick

HB 2626 - Thompson, Newberry, David, Jech, Silk, Floyd, Matthews

HB 3028 - Halligan, Ford, Smalley, Shaw, Quinn, Dossett, Pittman

HB 3162 - Bingman, Justice, Sykes, Treat, Dahm, Garrison, Bass

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

HB 2527

HB 2551

HB 2898

HB 3157

HB 3159

HB 3160

Conferees named

Advising naming Senate Conferees as follows:

SB 1490 - Jech, Stanislowski, Silk, Bice, Sharp, Matthews, Wyrick

SB 1496 - Newberry, Bice, Halligan, Thompson, Sykes, Matthews, Bass

Advising naming of GCCA as Senate Conferees as follows:

SB 1380

Returning enrolled measures

Announcing that Enrolled **HBs 1717, 3109** and **3167** 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.

MOTION

Representative Kirby moved to rescind the motion to reject the Engrossed **SAs** and request conference on **HB 2757**, which motion was declared adopted.

PENDING CONSIDERATION OF SAs

SAs to **HB 2757** were called up for consideration.

Representative Sherrer raised a point of order as to whether it was in order to entertain a motion to accept Senate Amendments immediately after the House had voted to rescind rejection of the Senate Amendments and request for conference. Representative Sherrer withdrew the point of order.

Upon motion of Representative Kirby, the House concurred in the **SAs** to **HB 2757**.

HB 2757, 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, Biggs, Billy, Brown, Brumbaugh, Caldwell, Calvey, Cannaday, Casey, Cleveland, Cockroft, Condit, Coody (Ann), Cooksey, Denney, Derby, Dunlap, Dunnington, Echols, Faught, Fourkiller, Goodwin, Hall, Hardin, Henke, Hoskin, Inman, Johnson, Joyner, Kannady, Kern, Kirby, Kouplen, Leewright, Lepak, Loring, Martin, McBride, McCall, McCullough, McDaniel (Jeannie), McDaniel (Randy), Montgomery, Moore, Morrisette, Mulready, Munson, Murphey, Newell, Ortega, Ownbey, Park, Perryman, Peterson, Pfeiffer, Proctor, Pruett, Renegar, Ritze, Roberts (Dustin), Roberts (Sean), Rogers, Russ, Sanders, Scott, Sears, Shelton, Sherrer, Shoemake, Stone, Strohm, Tadlock, Thomsen, Vaughan, Virgin, Walker, Wallace, Watson, Wesselhoft, Williams, Young, Mr. Speaker.--82.

Excused: Bennett, Christian, Coody (Jeff), Cox, Enns, Fisher, Grau, Griffith, Jordan, Lockhart, McPeak, Murdock, Nelson, Nollan, O'Donnell, Osborn, Rousselot, Wood, Wright.--19.

The measure 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 2267** were rejected and conference requested upon motion of Representative Cox. The Speaker named GCCA.

PENDING CONSIDERATION OF SAs

SAs to HB 2397 were rejected and conference requested upon motion of Representative Dunlap. The Speaker named the Conference Committee on Judiciary and Civil Procedure.

PENDING CONSIDERATION OF SAs

SAs to HB 2646 were rejected and conference requested upon motion of Representative Wallace. The Speaker named the Conference Committee on County and Municipal Government.

PENDING CONSIDERATION OF SAs

SAs to HB 2777 were rejected and conference requested upon motion of Representative McCall. The Speaker named GCCA.

PENDING CONSIDERATION OF SAs

SAs to HB 1549 were rejected and conference requested upon motion of Representative McBride. The Speaker named the Conference Committee on Energy and Natural Resources.

PENDING CONSIDERATION OF SAs

SAs to HB 2497 were called up for consideration.

Representative Perryman asked a ruling of the Presiding Officer whether the **SAs** are germane to **HB 2497**.

The Presiding Officer ruled the **SAs** nongermane and the point well taken.

Representative Banz moved to suspend House Rule 9.3(b) for the purpose of allowing consideration of the **SAs**, which motion was declared adopted upon roll call as follows:

Aye: Banz, Bennett, Biggs, Billy, Brumbaugh, Caldwell, Calvey, Casey, Cleveland, Cockroft, Coody (Ann), Coody (Jeff), Cooksey, Cox, Denney, Derby, Dunlap, Echols, Faught, Fisher, Hall, Hardin, Henke, Johnson, Jordan, Joyner, Kannady, Kern, Kirby, Leewright, Lepak, Martin, McBride, McCall, McCullough, McDaniel (Jeannie), McDaniel (Randy), Montgomery, Moore, Munson, Murdock, Murphey, Newell, Nollan, Ortega, Osborn, Ownbey, Park, Peterson, Pfeiffer, Pruett, Ritze, Roberts (Dustin), Roberts (Sean), Rogers, Russ, Sanders, Sears, Strohm, Thomsen, Vaughan, Virgin, Walker, Wallace, Watson, Wesselhoft, Wright, Mr. Speaker.--68.

Nay: Brown, Cannaday, Condit, Fourkiller, Goodwin, Griffith, Hoskin, Lockhart, Perryman, Renegar, Rousselot, Scott, Shelton, Sherrer, Shoemake, Stone, Tadlock, Williams, Young.--19.

Excused: Christian, Dunnington, Enns, Grau, Inman, Kouplen, Loring, McPeak, Morrissette, Mulready, Nelson, O'Donnell, Proctor, Wood.--14.

Representative Banz moved that the House concur in the **SAs** to **HB 2497**, which motion was declared adopted upon roll call as follows:

Aye: Banz, Bennett, Biggs, Billy, Brumbaugh, Caldwell, Calvey, Cannaday, Casey, Cleveland, Cockroft, Coody (Ann), Coody (Jeff), Cooksey, Cox, Denney, Derby, Dunlap, Echols, Faught, Fisher, Hall, Hardin, Henke, Johnson, Jordan, Joyner, Kannady, Kern, Kirby, Leewright, Lepak, Martin, McBride, McCall, McCullough, McDaniel (Randy), Moore, Mulready, Munson, Murdock, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Park, Peterson, Pfeiffer, Ritze, Roberts (Dustin), Roberts (Sean), Rogers, Russ, Sanders, Sears, Strohm, Thomsen, Vaughan, Walker, Wallace, Watson, Wesselhoft, Wright, Mr. Speaker.--67.

Nay: Goodwin, Griffith, Inman, Lockhart, Loring, McDaniel (Jeannie), Morrissette, Perryman, Proctor, Pruett, Rousselot, Scott, Shelton, Sherrer, Shoemake, Stone, Tadlock, Virgin, Young.--19.

Excused: Brown, Christian, Condit, Dunnington, Enns, Fourkiller, Grau, Hoskin, Kouplen, McPeak, Montgomery, O'Donnell, Renegar, Williams, Wood.--15.

HB 2497, 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, Biggs, Billy, Brown, Brumbaugh, Caldwell, Calvey, Cannaday, Casey, Cleveland, Cockroft, Condit, Coody (Ann), Coody (Jeff), Cooksey, Cox, Denney, Derby, Dunlap, Faught, Fisher, Griffith, Hall, Hardin, Henke, Inman, Johnson, Jordan, Joyner, Kannady, Kern, Kirby, Kouplen, Leewright, Lepak, Loring, Martin, McBride, McCullough, McDaniel (Jeannie), McDaniel (Randy), Montgomery, Moore, Mulready, Munson, Murdock, Murphey, Newell, Nollan, Osborn, Ownbey, Park, Peterson, Pfeiffer, Proctor, Ritze, Roberts (Dustin), Roberts (Sean), Rogers, Russ, Sanders, Scott, Sears, Shoemake, Strohm, Tadlock, Thomsen, Vaughan, Virgin, Walker, Wallace, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--77.

Nay: Goodwin, Lockhart, Morrissette, Perryman, Pruett, Rousselot, Shelton, Sherrer, Stone, Young.--10.

Excused: Christian, Dunnington, Echols, Enns, Fourkiller, Grau, Hoskin, McCall, McPeak, Nelson, O'Donnell, Ortega, Renegar, Wood.--14.

The measure passed.

Representative Shelton served notice to reconsider the vote whereby **HB 2497** passed.

MESSAGES FROM THE SENATE

Advising rejection of **HAs** to **SB 1202** and requesting conference thereon, the Senate naming conferees later.

Concurrence in HAs

Announcing the concurrence of Senate in **HAs** to **SBs 687, 1071, 1083, 1227** and **1388** and the passage of said measures, as amended thereby.

FIRST READING

The following were introduced and read for the first time:

HB 3204 – By Sears and Casey of the House and Jolley and Treat of the Senate.

An Act relating to revenue and taxation; amending 68 O.S. 2011, Section 2357.104, which relates to tax credits for certain railroad rehabilitation expenditures; modifying amount of credit for certain tax years; and providing an effective date.

HB 3205 – By Sears and Casey of the House and Jolley and Treat of the Senate.

An Act relating to revenue and taxation; amending 68 O.S. 2011, Section 227, as amended by Section 2, Chapter 274, O.S.L. 2014 (68 O.S. Supp. 2015, Section 227), which relates to refund claims for state taxes; modifying period of limitation with respect to sales and use tax refund claims; providing an effective date; and declaring an emergency.

HB 3206 – By Sears and Casey of the House and Jolley and Treat of the Senate.

An Act relating to public finance; amending 62 O.S. 2011, Section 34.54, as last amended by Section 381, Chapter 304, O.S.L. 2012 (62 O.S. Supp. 2015, Section 34.54), which relates to the General Revenue Cash-flow Reserve Fund; requiring the Office of Management and Enterprise Services to make certain analysis and submission of information to the State Board of Equalization; and providing an effective date.

RESOLUTIONS

The following was introduced and read:

HR 1069 – By Virgin.

A Resolution declaring May as Ehlers-Danlos Syndrome Awareness Month; and directing distribution.

MESSAGES FROM THE GOVERNOR

Advising of her approval of **HBs 2603** and **2962** on May 4, 2016.

Representative Billy moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 9:00 a.m., Thursday, May 5, 2016, which was the order.

Pursuant to the motion of Representative Billy, the House was adjourned at 3:35 p.m., to reconvene Thursday, May 5, 2016, at 9:00 a.m.