

HOUSE JOURNAL

First Regular Session of the Fifty-third Legislature

of the State of Oklahoma

Eleventh Legislative Day, Thursday, February 24, 2011

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

The roll was called with 97 Members present.

The following Members were excused: Farley, Hoskin, McPeak, Peterson.—4.

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Pastor James Ray Collins, Frink Baptist Church, McAlester.

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HBs 1504 and **1800** were reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

MEASURES REASSIGNED

The following measures were reassigned:

HB 1216 – Withdrawn from Judiciary and referred to Rules.

HB 1218 – Withdrawn from Rules and referred to Insurance.

HB 1380 – Withdrawn from Rules and referred to Common Education.

HB 1429 – Withdrawn from Rules and referred to Public Health.

HB 1446 – Withdrawn from Rules and referred to Judiciary.

HB 1555 – Withdrawn from Appropriations and Budget and referred to Judiciary.

HB 2031 – Withdrawn from Rules and referred to Judiciary.

HB 2041 – Withdrawn from Judiciary and referred to Insurance.

GENERAL ORDER

HB 1323 by Wright of the House and Schulz of the Senate was read and considered.

Representative Wright moved that **HB 1323** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1323 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Dorman, Enns, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Hilliard, Holland, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, Moore, Morgan, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Stiles, Sullivan, Terrill, Thomsen, Tibbs, Vaughan, Virgin, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--93.

Excused: Cox, Farley, Hoskin, McPeak, Morrissette, Peterson, Trebilcock, Walker.--8.

The measure passed.

HB 1323 was referred for engrossment.

REQUEST FOR REMOVAL FROM CONSENT CALENDAR

Pursuant to House Rule 8.19, paragraph (c), Representative Proctor having received the required twenty-five (25) seconds, requested that **HBs 1321, 1327, 1348, 1471** and **1472** be removed from the Consent Calendar and placed on General Order, which was the order.

GENERAL ORDER

HB 2132 by Steele of the House and Bingman of the Senate was read and considered.

Representative McDaniel (Randy) moved that **HB 2132** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2132 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Billy, Blackwell, Brumbaugh, Casey, Cockroft, Coody, Cooksey, Dank, Denney, Derby, Enns, Faught, Grau, Hall, Hardin, Hickman, Holland, Jackson, Johnson, Jordan, Kern, Key, Kirby, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Pruett, Quinn, Renegar, Richardson, Roberts (Sean), Russ, Sanders, Schwartz, Sears, Shannon, Stiles, Sullivan, Thomsen, Tibbs, Trebilcock, Vaughan, Watson, Wesselhoft, Wright, Mr. Speaker.--62.

Nay: Brown, Cannaday, Condit, Dorman, Fourkiller, Glenn, Hamilton, Hilliard, Inman, Kouplén, Lockhart, McAffrey, McDaniel (Jeannie), Morgan, Morrisette, Pittman, Proctor, Reynolds, Ritze, Roberts (Dustin), Rousselot, Scott, Shelton, Sherrer, Shoemake, Shumate, Virgin, Williams.--28.

Excused: Cox, Farley, Hoskin, McPeak, Peterson, Walker.--6.

Constitutional Priv: Christian, DeWitt, Joyner, Roan, Terrill.--5.

The measure passed.

On passage of the emergency, the roll call was as follows:

Aye: Armes, Banz, Bennett, Billy, Blackwell, Brumbaugh, Casey, Cockroft, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Enns, Faught, Grau, Hall, Hardin, Hickman, Holland, Jackson, Johnson, Jordan, Kern, Key, Kirby, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Pruett, Quinn, Renegar, Richardson, Roberts (Sean), Russ, Sanders, Schwartz, Sears, Shannon, Sullivan, Thomsen, Tibbs, Trebilcock, Vaughan, Watson, Wesselhoft, Wright, Mr. Speaker.--61.

Nay: Brown, Cannaday, Christian, Condit, Dorman, Glenn, Hamilton, Hilliard, Inman, Kouplén, Lockhart, McAffrey, McDaniel (Jeannie), Morgan, Morrisette, Nelson, Pittman, Proctor, Reynolds, Roan, Roberts (Dustin), Rousselot, Scott, Shelton, Sherrer, Shoemake, Shumate, Stiles, Virgin, Williams.--30.

Excused: Cox, Farley, Fourkiller, Hoskin, McPeak, Peterson, Ritze, Walker.--8.

Constitutional Priv: Joyner, Terrill.--2.

The emergency failed.

HB 2132 was referred for engrossment.

MESSAGES FROM THE SENATE

Announcing the passage of engrossed **SB 42**. The measure was introduced and read for the first time.

SB 42 – By Garrison of the Senate and Rousselot of the House.

[Oklahoma Education Lottery Act - powers of the Oklahoma Lottery Commission - prohibiting advertisements involving children – emergency]

Transmitting enrolled measure

Advising the signing of and transmitting for signature Enrolled **SCR 3**.

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

RESOLUTION

The following was introduced and read:

HCR 1004 – By Sherrer.

A Concurrent Resolution relating to developmental disabilities; authorizing legislators and staff to allow developmentally disabled persons to use Capitol grounds parking on Developmental Disabilities Day.

COMMITTEE REPORTS

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

DO PASS:

HB 1052 – Appropriations and Budget, Authored by Senator Ballenger (principal Senate author)

HB 1060 – Transportation

HB 1066 – Economic Development, Tourism and Financial Services, Authored by Senator Ellis (principal Senate author)

HB 1079 – Energy and Utility Regulation, Remove Representative Sears as principal House author and substitute with Representative Martin (Scott), Coauthored by Representative(s) Sears, and Authored by Senator Jolley (principal Senate author)

HB 1088 – Economic Development, Tourism and Financial Services

HB 1194 – Human Services, Authored by Senator Anderson (principal Senate author)

HB 1202 – Economic Development, Tourism and Financial Services, Authored by Senator Aldridge (principal Senate author)

- HB 1267** – Appropriations and Budget, Authored by Senator Ford (principal Senate author)
- HB 1326** – Appropriations and Budget, Coauthored by Representative(s) Terrill, and Authored by Senator Ellis (principal Senate author)
- HB 1372** – Appropriations and Budget, Authored by Senator Fields (principal Senate author)
- HB 1373** – Appropriations and Budget, Coauthored by Representative(s) Kern, and Authored by Senator Fields (principal Senate author)
- HB 1391** – Public Safety
- HB 1397** – Appropriations and Budget, Authored by Senator Jolley (principal Senate author)
- HB 1462** – Economic Development, Tourism and Financial Services, Coauthored by Representative(s) Sherrer, and Authored by Senator Burrage (principal Senate author)
- HB 1468** – General Government, Coauthored by Representative(s) Roan, and Authored by Senator Ballenger (principal Senate author)
- HB 1469** – General Government, Authored by Senator Aldridge (principal Senate author)
- HB 1476** – Public Safety, Authored by Senator Anderson (principal Senate author)
- HB 1494** – Appropriations and Budget, Authored by Senator Reynolds (principal Senate author)
- HB 1512** – Appropriations and Budget, Authored by Senator Aldridge (principal Senate author)
- HB 1520** – Insurance, Coauthored by Representative(s) Reynolds, Ritze, and Authored by Senator Brown (principal Senate author)
- HB 1593** – General Government
- HB 1595** – Appropriations and Budget, Authored by Senator Barrington (principal Senate author)
- HB 1614** – Rules, Authored by Senator Holt (principal Senate author)
- HB 1626** – General Government
- HB 1642** – Public Health, Coauthored by Representative(s) Reynolds, and Authored by Senator Brown (principal Senate author)
- HB 1644** – Public Health, Authored by Senator Ellis (principal Senate author)
- HB 1646** – General Government, Coauthored by Representative(s) Reynolds, and Authored by Senator Russell (principal Senate author)
- HB 1650** – General Government
- HB 1665** – Appropriations and Budget, Coauthored by Representative(s) Faught, Hall, Roberts (Sean), and Authored by Senator Jolley (principal Senate author)
- HB 1669** – General Government, Authored by Senator Justice (principal Senate author)
- HB 1675** – Appropriations and Budget, Authored by Senator Jolley (principal Senate author)
- HB 1688** – Economic Development, Tourism and Financial Services
- HB 1723** – Public Safety, Authored by Senator David (principal Senate author)
- HB 1743** – Public Safety, Authored by Senator Sykes (principal Senate author), Placed on Consent Calendar
- HB 1775** – Economic Development, Tourism and Financial Services

- HB 1812** – Appropriations and Budget, Authored by Senator Stanislawski (principal Senate author)
- HB 1828** – Appropriations and Budget, Authored by Senator Johnson (Rob) (principal Senate author)
- HB 1986** – Public Safety, Authored by Senator Burrage (principal Senate author)
- HB 1996** – Insurance
- HB 2004** – Appropriations and Budget, Authored by Senator Shortey (principal Senate author)
- HB 2080** – Insurance
- HB 2083** – General Government
- HB 2089** – Public Safety, Coauthored by Representative(s) Thomsen
- HB 2115** – Appropriations and Budget, Coauthored by Representative(s) Denney, and Authored by Senator Ford (principal Senate author)
- HB 2116** – Appropriations and Budget, Authored by Senator Marlatt (principal Senate author)
- HB 2117** – Economic Development, Tourism and Financial Services, Coauthored by Representative(s) Jackson, and Authored by Senator Mazzei (principal Senate author)
- HJR 1001** – Rules, Authored by Senator Reynolds (principal Senate author)
- HJR 1015** – Rules, Authored by Senator Jolley (principal Senate author)

DO PASS, As Amended:

- CS for HB 1032** – Insurance
- CS for HB 1191** – General Government
- CS for HB 1228** – Appropriations and Budget, Authored by Senator Simpson (principal Senate author)
- CS for HB 1275** – Public Health, Authored by Senator Jolley (principal Senate author), Placed on Consent Calendar
- CS for HB 1311** – Rules, Authored by Senator Fields (principal Senate author)
- CS for HB 1418** – Appropriations and Budget, Coauthored by Representative(s) Key, Denney, Condit, and Authored by Senator Justice (principal Senate author)
- CS for HB 1419** – Public Health, Authored by Senator Marlatt (principal Senate author), Placed on Consent Calendar
- CS for HB 1436** – Economic Development, Tourism and Financial Services
- HB 1513** – Appropriations and Budget, Authored by Senator Aldridge (principal Senate author)
- HB 1514** – Appropriations and Budget, Authored by Senator Marlatt (principal Senate author)
- CS for HB 1530** – General Government
- CS for HB 1598** – Economic Development, Tourism and Financial Services, Coauthored by Representative(s) Jackson
- HB 1613** – Appropriations and Budget
- CS for HB 1708** – Appropriations and Budget
- CS for HB 1776** – Rules
- CS for HB 1835** – Appropriations and Budget, Coauthored by Representative(s) Dorman

CS for HB 1888 – Public Health, Coauthored by Representative(s) Reynolds, Ritze, Trebilcock, Johnson, Derby, Hall, and Authored by Senator Jolley (principal Senate author)

CS for HB 1953 – Economic Development, Tourism and Financial Services, Coauthored by Representative(s) Pittman, and Authored by Senator Mazzei (principal Senate author)

CS for HB 1990 – Economic Development, Tourism and Financial Services

HB 1999 – Appropriations and Budget, Authored by Senator Barrington (principal Senate author)

CS for HB 2017 – Public Health, Remove Representative Pittman as principal House author and substitute with Representative Cox, and Coauthored by Representative(s) Pittman, Ritze, Cannaday, and Authored by Senator Crain (principal Senate author)

CS for HB 2131 – Public Safety, Authored by Senator Anderson (principal Senate author)

CS for HJR 1002 – Rules, Authored by Senator Reynolds (principal Senate author)

CS for HJR 1028 – Rules

Representative Sullivan moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 1:30 p.m., Monday, February 28, 2011, which was the order.

Pursuant to the motion of Representative Sullivan, the House was adjourned at 11:05 a.m., to reconvene Monday, February 28, 2011, at 1:30 p.m.