

HOUSE JOURNAL

First Regular Session of the Fifty-third Legislature

of the State of Oklahoma

Thirteenth Legislative Day, Tuesday, March 1, 2011

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

The roll was called with 101 Members present.

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Senior Pastor J. B. Bond, Country Side Church, Stillwater.

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HBs 1002, 1051, 1225, 1374 and 1456 were reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

MEASURE REASSIGNED

The following measure was reassigned:

HB 1208 – Withdrawn from Rules and referred to Government Modernization.

GENERAL ORDER

HB 1007 by McDaniel (Randy) of the House and Mazzei of the Senate was read and considered.

Representative Inman moved to amend **HB 1007** by adding a new Section 3 to read as follows:

“SECTION 3. The Teachers’ Retirement System of Oklahoma shall not use an actuarial assumption for any cost-of-living adjustment in its annual actuarial valuation.

A. The Teachers’ Retirement System of Oklahoma shall use an assumed rate of return on system assets consistent with its past actuarial assumptions and consistent with recommendations of its actuary.

B. The Legislature shall provide funding to the Teachers’ Retirement System of Oklahoma from the General Revenue Fund or from such other sources as may be required each year for a period of ten (10) consecutive years beginning with the fiscal year which begins July 1, 2011, in order for the Teachers’ Retirement System of Oklahoma to have a funded status equal to or greater than eighty percent (80%) at the end of the ten-year period.”, and by renumbering subsequent sections.

Representative McDaniel (Randy) moved to table the Inman amendment, which tabling motion was declared adopted upon roll call as follows:

Aye: Banz, Billy, Blackwell, Brumbaugh, Casey, Christian, Cockroft, Coody, Cooksey, Cox, Derby, DeWitt, Farley, Grau, Hall, Hardin, Hickman, Holland, Jackson, Johnson, Kern, Key, Kirby, Liebmann, Martin (Scott), McCullough, McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Quinn, Reynolds, Richardson, Ritze, Roberts (Dustin), Roberts (Sean), Russ, Schwartz, Sears, Shannon, Stiles, Sullivan, Thomsen, Tibbs, Trebilcock, Vaughan, Watson, Wesselhoft, Mr. Speaker.--58.

Nay: Brown, Cannaday, Condit, Dorman, Fourkiller, Glenn, Hamilton, Hilliard, Hoskin, Inman, Joyner, Kouplen, Lockhart, McAffrey, McDaniel (Jeannie), McPeak, Morgan, Proctor, Pruett, Renegar, Roan, Shelton, Sherrer, Shoemake, Shumate, Terrill, Virgin, Walker, Williams.--29.

Excused: Armes, Bennett, Dank, Denney, Enns, Faight, Jordan, Martin (Steve), Morrisette, Pittman, Rousselot, Sanders, Scott, Wright.--14.

Representative McDaniel (Randy) moved that **HB 1007** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1007 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Banz, Billy, Blackwell, Brumbaugh, Casey, Christian, Cockroft, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Farley, Faught, Grau, Hall, Hardin, Hickman, Holland, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pruett, Quinn, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Schwartz, Sears, Shannon, Stiles, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Vaughan, Walker, Watson, Wesselhoft, Mr. Speaker.--69.

Nay: Brown, Cannaday, Condit, Dorman, Fourkiller, Glenn, Hamilton, Hilliard, Hoskin, Inman, Kouplen, Lockhart, McAffrey, McDaniel (Jeannie), McPeak, Morgan, Morrisette, Proctor, Renegar, Rousselot, Scott, Shelton, Sherrer, Shoemake, Shumate, Virgin, Williams.--27.

Excused: Armes, Bennett, Enns, Pittman, Wright.--5.

The measure passed.

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

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

Nay: Bennett, Brown, Cannaday, Christian, Condit, Dorman, Fourkiller, Glenn, Hamilton, Hilliard, Hoskin, Inman, Kouplen, Lockhart, McAffrey, McDaniel (Jeannie), McPeak, Morgan, Morrisette, Pittman, Proctor, Pruett, Renegar, Reynolds, Ritze, Roan, Rousselot, Scott, Shelton, Sherrer, Shoemake, Shumate, Stiles, Virgin, Walker, Williams.--36.

Excused: Armes, Enns, Wright.--3.

The emergency failed.

HB 1007 was referred for engrossment.

GENERAL ORDER

HB 1363 by Peters of the House and Jolley et al of the Senate was read and considered.

Coauthored by Representative(s) McDaniel (Jeannie), Newell, Cockroft

Representative Peters moved that **HB 1363** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1363 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Bennett, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Enns, Farley, Faught, Fourkiller, Grau, Hall, Hamilton, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Liebmann, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiell, McPeak, Morgan, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Richardson, Roan, Roberts (Dustin), Roberts (Sean), Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Shumate, Stiles, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Mr. Speaker.--89.

Nay: Banz, Glenn, Lockhart, Moore, Morrisette, Reynolds, Ritze, Rousselot, Russ, Shelton.--10.

Excused: Armes, Wright.--2.

The measure and emergency passed.

HB 1363 was referred for engrossment.

GENERAL ORDER

HB 1489 by Brumbaugh of the House and Brown of the Senate was read and considered.

Representative Reynolds moved to amend **HB 1489** by inserting a new Section 2 to read as follows, and by renumbering subsequent section:

“SECTION 2. AMENDATORY Section 3, Chapter 459, O.S.L. 2010 (68 O.S. Supp. 2010, Section 205.6), is amended to read as follows:

Section 205.6 A. The Oklahoma Tax Commission shall prepare and maintain a list of all taxpayers who have claimed any tax credit authorized by any provisions of state law and related to a tax administered by the Tax Commission. The Office of State Finance shall cause the list to be posted on the Internet through the Taxpayer Transparency Act website in a format which is searchable and can be exported in raw data form.

The Office of State Finance shall include the name of each taxpayer who claimed a credit, the amount of such credit and the specific statutory provision under which the credit was claimed. The Internet list shall be updated not less than monthly. The list shall include the identity of all taxpayers or organizations having any part in the chain of custody or claim to the credit or credits at any time during the credit's existence from the initial time the credit is earned, through the time that the credit is claimed on a tax return.

B. For the purposes of this section “tax credit” means a credit against tax liability that is a credit administered by the Tax Commission, excluding credits authorized under paragraphs 1 and 2 of subsection B of Section 2357, Section 2357.4 and Sections 2357.29 and 2357.43 of ~~Title 68 of the Oklahoma Statutes~~ this title.

C. In addition to the disclosure required by subsection A of this section, for any tax credit that may be claimed by any person or any lawfully recognized business entity pursuant to the provisions of Sections 2357.62, 2357.63, 2357.73, and 2357.74 of ~~Title 68 of the Oklahoma Statutes~~ this title, the Oklahoma Tax Commission shall maintain a list of any person and any such entity that may be able to claim any such credit as a result of the allocation of tax credits based upon the pass-through federal income tax treatment applicable to the entity that makes a qualified investment, as such term is defined by paragraph 6 of Section 2357.61 of ~~Title 68 of the Oklahoma Statutes~~ this title and paragraph 7 of Section 2357.72 of ~~Title 68 of the Oklahoma Statutes~~ this title, in either a qualified small business capital company or a qualified rural small business capital company. For purposes of this subsection, the Tax Commission shall determine the identity of such persons and legal entities as of the December 31 date of the calendar year during which the qualified investment is made.

~~D. The provisions of this section shall become effective starting with the 2011 tax year.”,~~

which amendment was declared adopted.

Representative Brumbaugh moved that **HB 1489** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1489 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Banz, Bennett, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Enns, Farley, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kouplen, Liebmann,

Lockhart, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNeil, McPeak, Moore, Morgan, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, 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, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Mr. Speaker.--96.

Excused: Armes, Faught, Key, Kirby, Wright.--5.

The measure passed.

HB 1489 was referred for engrossment.

GENERAL ORDER

HB 1230 by Ownbey of the House and Mazzei of the Senate was read and considered.

Representative Ownbey moved that **HB 1230** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1230 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Banz, Bennett, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Enns, Farley, Faught, Fourkiller, Glenn, Grau, Hall, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNeil, McPeak, Moore, Morgan, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Richardson, Roan, Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Stiles, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Mr. Speaker.--94.

Nay: Hamilton, Reynolds, Ritze.--3.

Excused: Armes, Roberts (Dustin), Shumate, Wright.--4.

The measure and emergency passed.

HB 1230 was referred for engrossment.

RESOLUTION FOR CONSIDERATION

HCR 1003 was called up for consideration.

Authored by Senator Ford (principal Senate author)

Upon motion of Representative Martin (Steve), **HCR 1003** was considered and adopted.

HCR 1003 was referred for engrossment.

GENERAL ORDER

HB 1034 by Murphey of the House was read and considered.

Coauthored by Representative(s) Derby

Authored by Senator Aldridge (principal Senate author)

Representative Murphey moved that **HB 1034** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1034 was read at length for the third time. On passage of the measure, the roll call was as follows:

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

Nay: Hamilton, Morrissette, Shelton, Williams.--4.

Excused: Armes, Kirby, Shumate, Wright.--4.

The measure passed.

HB 1034 was referred for engrossment.

GENERAL ORDER

HB 1197 by McDaniel (Jeannie) et al of the House and Anderson of the Senate was read and considered.

Coauthored by Representative(s) Inman, Peterson, Walker, Proctor

Representative McDaniel (Jeannie) moved that **HB 1197** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1197 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Banz, Bennett, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Denney, Derby, DeWitt, Dorman, Enns, Farley, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morgan, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Stiles, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Vaughan, Virgin, Walker, Watson, Williams, Mr. Speaker.--96.

Nay: Wesselhoft.--1.

Excused: Armes, Dank, Shumate, Wright.--4.

The measure and emergency passed.

HB 1197 was referred for engrossment.

GENERAL ORDER

HB 1274 by Virgin et al of the House and Stanislawski of the Senate was read and considered.

Representative Virgin moved that **HB 1274** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1274 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Banz, Bennett, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Enns, Farley, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morgan, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Stiles, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Mr. Speaker.--98.

Excused: Armes, Shumate, Wright.--3.

The measure and emergency passed.

HB 1274 was referred for engrossment.

GENERAL ORDER

HB 1382 by Condit of the House and Shortey of the Senate was read and considered.

Coauthored by Representative(s) Roan, Walker

Representative Condit moved that **HB 1382** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1382 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Banz, Bennett, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Enns, Farley, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morgan, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon,

Shelton, Sherrer, Shoemake, Stiles, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Mr. Speaker.--98.

Excused: Armes, Shumate, Wright.--3.

The measure passed.

HB 1382 was referred for engrossment.

GENERAL ORDER

HB 1338 by Renegar et al of the House and Lerblance of the Senate was read and considered.

Representative Renegar moved that **HB 1338** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1338 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Banz, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Enns, Farley, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morgan, Morrisette, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, 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, Trebilcock, Vaughan, Virgin, Walker, Wesselhoft, Williams, Mr. Speaker.--97.

Excused: Armes, Bennett, Watson, Wright.--4.

The measure and emergency passed.

HB 1338 was referred for engrossment.

GENERAL ORDER

HB 1918 by Coody of the House and Ford of the Senate was read and considered.

Representative Coody moved to suspend House Rule 8.6(b) for the purpose of allowing consideration of an untimely filed floor amendment, which motion failed of adoption upon roll call as follows:

Aye: Banz, Bennett, Billy, Blackwell, Brumbaugh, Casey, Cockroft, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Farley, Faught, Grau, Hall, Hardin, Hickman, Holland, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Quinn, Richardson, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Schwartz, Sears, Shannon, Stiles, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Vaughan, Watson, Wesselhoft, Mr. Speaker.--64.

Nay: Brown, Cannaday, Christian, Condit, Dorman, Fourkiller, Glenn, Hamilton, Hilliard, Hoskin, Inman, Lockhart, McAffrey, McDaniel (Jeannie), McPeak, Morrisette, Pittman, Proctor, Pruett, Renegar, Reynolds, Ritze, Roan, Rousselot, Scott, Shelton, Sherrer, Shoemake, Shumate, Walker, Williams.--31.

Excused: Armes, Enns, Kouplen, Morgan, Virgin, Wright.--6.

Representative Coody moved that **HB 1918** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1918 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Banz, Bennett, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Enns, Farley, Faught, Fourkiller, Glenn, Grau, Hall, Hickman, Hilliard, Holland, Hoskin, 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, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Proctor, Pruett, Quinn, Renegar, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Stiles, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Vaughan, Virgin, Walker, Watson, Mr. Speaker.--90.

Nay: Hamilton, Hardin, McPeak, Morrisette, Murphey, Reynolds, Wesselhoft, Williams.--8.

Excused: Armes, Pittman, Wright.--3.

The measure and emergency passed.

HB 1918 was referred for engrossment.

MESSAGES FROM THE SENATE

Announcing the passage of engrossed **SBs 2, 4, 96, 122, 123, 127, 154, 235, 256, 280, 377, 426, 729, 730, 733, 744, 850** and **863**. The measures were introduced and read for the first time.

SB 2 – By Ford of the Senate and Coody of the House.

An Act relating to schools; directing the State Board of Education to adopt alternate year growth targets based on graduation rates; specifying rewards and sanctions based on meeting or failing to meet expected growth targets; providing for codification; providing an effective date; and declaring an emergency.

SB 4 – By Wilson of the Senate and Brown of the House.

An Act relating to sales tax relief; amending 68 O.S. 2001, Section 5013, as amended by Section 15, Chapter 155, O.S.L. 2007 (68 O.S. Supp. 2010, Section 5013), which relates to the Sales Tax Relief Act; modifying time period during which specified claims may be filed; and providing an effective date.

SB 96 – By Coates of the Senate and Liebmann of the House.

An Act relating to the Public Competitive Bidding Act of 1974; amending 61 O.S. 2001, Sections 103, as last amended by Section 2, Chapter 98, O.S.L. 2010, 115, as last amended by Section 2, Chapter 212, O.S.L. 2008, and 130, as last amended by Section 1, Chapter 265, O.S.L. 2007 (61 O.S. Supp. 2010, Sections 103, 115, and 130), which relate to solicitation and awarding of contracts, collusion among bidders or suppliers, and emergencies; modifying limit amount for certain negotiated contracts; removing certain bidding requirement; allowing the Oklahoma Conservation Commission to delegate certain power; and providing an effective date.

SB 122 – By Mazzei of the Senate and Dank of the House.

[gross production tax - apportionment of revenue - modifying dates - effective date]

SB 123 – By Mazzei of the Senate and Dank of the House.

[tax administration - certification for income tax credits - updating reference - effective date]

SB 127 – By Ellis of the Senate and Ritze of the House.

An Act relating to the Public Competitive Bidding Act of 1974; amending 61 O.S. 2001, Sections 102, as last amended by Section 2, Chapter 257, O.S.L. 2009 and 122 (61 O.S. Supp. 2010, Section 102), which relate to definitions and taxpayer suits; modifying certain definition; modifying certain time limitation; adding penalty; and providing an effective date.

SB 154 – By Mazzei of the Senate and Dank of the House.

[Oklahoma Quality Jobs Program Act - calculation of incentive payments - application of provision - updating reference - effective date]

SB 235 – By Fields of the Senate and Wright of the House.

An Act relating to oversized vehicles; amending 47 O.S. 2001, Section 14-103C, as last amended by Section 10, Chapter 390, O.S.L. 2004 (47 O.S. Supp. 2010, Section 14-103C), which relates to movement of houses or buildings; requiring consultation with Department of Transportation for certain permits; and declaring an emergency.

SB 256 – By Ford of the Senate and Denney of the House.

An Act relating to charter schools; amending 70 O.S. 2001, Section 3-142, as last amended by Section 4, Chapter 290, O.S.L. 2010 (70 O.S. Supp. 2010, Section 3-142), which relates to charter school funding; providing that charter schools are eligible for government lease rates; providing an effective date; and declaring an emergency.

SB 280 – By Stanislawski of the Senate and Coody of the House.

An Act relating to online education; amending 70 O.S. 2001, Section 1-111, as last amended by Section 1, Chapter 352, O.S.L. 2010 (70 O.S. Supp. 2010, Section 1-111), which relates to the length of a school day and certain exceptions; deleting requirement that the State Department of Education make rules requiring telephonic communication between teachers and students and their parents; deleting requirement for establishment of certain plans; deleting requirement for certain assessments; providing an effective date; and declaring an emergency.

SB 377 – By Mazzei of the Senate and McDaniel (Randy) of the House.

An Act relating to Board of Trustees of the Teachers' Retirement System of Oklahoma; amending 70 O.S. 2001, Section 17-106.1, as last amended by Section 31, Chapter 46, 2nd Extraordinary Session, O.S.L. 2006 (70 O.S. Supp. 2010, Section 17-106.1), which relates to duties of the Board of Trustees; requiring the Board of Trustees to establish certain committee; and providing an effective date.

SB 426 – By Brown of the Senate and Thomsen of the House.

An Act relating to the Public Competitive Bidding Act of 1974; amending 61 O.S. 2001, Section 121, as last amended by Section 3, Chapter 257, O.S.L. 2009 (61 O.S. Supp. 2010, Section 121), which relates to change orders or addenda to public contracts; modifying approval requirements for certain change orders; and providing an effective date.

SB 729 – By Mazzei of the Senate and Dank of the House.

[motor vehicle titles - certificates of title - modifying information required - modifying type of vehicle - modifying definition - effective date]

SB 730 – By Mazzei of the Senate and Dank of the House.

[uniform tax procedure - payment of taxes and refunds - refer accounts to debt collection agency - effective date]

SB 733 – By Mazzei of the Senate and Dank of the House.

[Oklahoma Tax Code - providing retroactivity under specified circumstances - providing intent - codification - effective date]

SB 744 – By Mazzei of the Senate and Dank of the House.

[streamlined sales and use tax - requiring a purchaser of advertising and promotional direct mail to provide documentation - limiting liability - directing the sourcing of direct mail - sales and use tax returns - codification - effective date]

SB 850 – By Treat of the Senate and Nelson of the House.

An Act relating to administrative rules; amending 75 O.S. 2001, Section 251, which relates to the Administrative Procedures Act; requiring agencies filing rules to cite certain authority; and providing an effective date.

SB 863 – By Sykes and Brecheen of the Senate and Sullivan of the House.

[noneconomic damages - damage awards - applicability]

FIRST READING

The following was introduced and read for the first time:

HJR 1042 – By Key.

A Joint Resolution disapproving emergency rules of the Oklahoma Health Care Authority; and directing distribution.

COMMITTEE REPORTS

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

DO PASS:

HB 1209 – Judiciary, Coauthored by Representative(s) McNiel, and Authored by Senator Marlatt (principal Senate author)

HB 1319 – Judiciary, Authored by Senator Sykes (principal Senate author)

HB 1564 – Judiciary, Authored by Senator Schulz (principal Senate author)

HB 1594 – Judiciary

HB 1893 – Judiciary

HB 2023 – Judiciary

DO PASS, As Amended:

CS for HB 1211 – Judiciary, Coauthored by Representative(s) Steele, Osborn, and Authored by Senator Newberry (principal Senate author)

CS for HB 1446 – Judiciary

CS for HB 1507 – Judiciary

CS for HB 1552 – Judiciary, Coauthored by Representative(s) Reynolds, Ritze, and Authored by Senator Sykes (principal Senate author)

CS for HB 1555 – Judiciary, Coauthored by Representative(s) Bennett, Sherrer

CS for HB 1559 – Judiciary

CS for HB 1603 – Judiciary

CS for HB 1606 – Judiciary

CS for HB 1748 – Human Services
CS for HB 2024 – Judiciary
CS for HB 2038 – Judiciary
CS for HB 2128 – Judiciary

Representative Sullivan moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 1:30 p.m., Wednesday, March 2, 2011, which was the order.

Pursuant to the motion of Representative Sullivan, the House was adjourned at 10:35 a.m., to reconvene Wednesday, March 2, 2011, at 1:30 p.m.