

HOUSE JOURNAL

First Regular Session of the Fifty-third Legislature

of the State of Oklahoma

Thirty-first Legislative Day, Thursday, March 31, 2011

The House was called to order by Representative Denney.

The roll was called with 99 Members present.

The following Members were excused: Christian, Enns.—2.

Representative Denney declared a quorum present.

Prayer was offered by Pastor Brent Kellogg, Cornerstone Church, Sand Springs.

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HAs to SB 339 were reported correctly engrossed, properly signed, in open session, and the measure, as amended, was ordered returned to the Honorable Senate.

HBs 1008 and 1359 were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

HCRs 1007 and 1009 were reported correctly enrolled, properly signed, in open session, and ordered transmitted to the Honorable Senate.

MEASURES REASSIGNED

The following measures were reassigned:

SB 55 – Withdrawn from Judiciary and referred to Rules.

SB 567 – Withdrawn from Public Safety and referred to Appropriations and Budget.

SB 905 – Withdrawn from Judiciary and referred to Rules.

SB 908 – Withdrawn from Judiciary and referred to Rules.

RESOLUTION FOR CONSIDERATION

HR 1021 was called up for consideration.

Coauthored by Representative(s) Ritze, Mulready, Farley, Banz, Nollan, Peterson, Roberts (Sean), Grau, Walker, Tibbs, Casey, Sullivan, Inman, Hoskin, Sherrer, Reynolds

Upon motion of Representative Wesselhoft, **HR 1021** was considered and adopted.

HR 1021 was referred for enrollment.

RESOLUTION FOR CONSIDERATION

HR 1019 was called up for consideration.

Upon motion of Representative Johnson, **HR 1019** was considered and adopted.

HR 1019 was referred for enrollment.

Speaker Pro Tempore Hickman Presiding**GENERAL ORDER**

SB 59 by Justice of the Senate and Osborn et al of the House was read and considered.

Coauthored by Representative(s) Condit, Walker

Representative Osborn moved that **SB 59** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 59 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Armes, Banz, Bennett, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, 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, Morgan, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Stiles, Sullivan, Terrill, Thomsen, Tibbs, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--96.

Excused: Christian, Enns, Moore, Roberts (Dustin), Trebilcock.--5.

The measure and emergency passed.

The Presiding Officer signed, in open session, Engrossed **SB 59** and ordered same returned to the Honorable Senate.

GENERAL ORDER

SB 348 by Jolley et al of the Senate and Denney of the House was read and considered.

Coauthored by Representative(s) Kern

Representative Denney moved to amend **SB 348**, Pages 1-5 by deleting all of Sections 1-3 and by inserting in lieu thereof a new Section 1, which amendment was declared adopted.

Representative Denney moved to amend **SB 348** by restoring the title, which amendment was declared adopted.

Representative Denney moved that **SB 348** be recommitted to the Common Education Committee, which motion was declared adopted upon a division of the question.

GENERAL ORDER

SB 774 by Aldridge of the Senate and Cooksey of the House was read and considered.

Representative Cooksey moved that **SB 774** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 774 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Billy, Brown, Brumbaugh, Cannaday, Casey, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, 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, Osborn, Ownbey, Peters, Peterson, Proctor, Pruett, Quinn, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shumate, Stiles, Sullivan, Terrill, Thomsen, Tibbs, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--94.

Excused: Blackwell, Christian, Enns, Ortega, Pittman, Shoemake, Trebilcock.--7.

The measure passed.

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

Aye: Armes, Banz, Billy, Blackwell, Casey, Cockroft, Cooksey, Cox, Denney, Derby, Farley, Faught, Hall, Hickman, Holland, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Liebmann, Martin (Scott), McCullough, McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Nelson, Nollan, Osborn, Ownbey, Peters, Peterson, Quinn, Richardson, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Sullivan, Thomsen, Tibbs, Vaughan, Watson, Wesselhoft, Wright, Mr. Speaker.--49.

Nay: Bennett, Brown, Cannaday, Condit, Dorman, Fourkiller, Glenn, Hamilton, Hardin, Hilliard, Hoskin, Inman, Key, Kouplen, Lockhart, McAffrey, Morrisette, Pittman, Proctor, Pruett, Renegar, Reynolds, Ritze, Roan, Rousselot, Scott, Shelton, Sherrer, Shumate, Stiles, Terrill, Virgin, Walker, Williams.--34.

Excused: Brumbaugh, Christian, Coody, Dank, DeWitt, Enns, Grau, Martin (Steve), McDaniel (Jeannie), McPeak, Morgan, Newell, Ortega, Schwartz, Sears, Shannon, Shoemake, Trebilcock.--18.

The emergency failed.

SB 774 was referred for engrossment.

GENERAL ORDER

SB 856 by Russell et al of the Senate and Wesselhoft of the House was read and considered.

Coauthored by Representative(s) Reynolds, Ritze, Kern

Representative Wesselhoft moved that **SB 856** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 856 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, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Farley, Faught, Fourkiller, Glenn, 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), McNeil, McPeak, Moore, Morgan, Morrisette, Mulready, Murphey, Nelson, Nollan, 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, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--95.

Excused: Christian, Enns, Grau, Newell, Ortega, Trebilcock.--6.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 856** and ordered same returned to the Honorable Senate.

MOTION

Representative Coody asked that the Journal reflect that had she been present in the Chamber on Wednesday, March 30, she would have voted aye on **SBs 130, 187, 257, 263, 282 and 339**, which was the order.

GENERAL ORDER

SB 287 by Jolley of the Senate and Russ of the House was read and considered.

Representative Russ moved that **SB 287** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 287 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, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, Dorman, 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), McNiel, McPeak, Moore, Morgan, Mulready, Murphey, Nelson, Newell, Nollan, Osborn, Ownbey, Peters, Peterson, Proctor, Pruett, Quinn, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Scott, Sears, Shannon, Sherrer, Shoemake, Stiles, Sullivan, Terrill, Thomsen, Tibbs, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--90.

Nay: Hamilton, Morrisette, Pittman, Shelton, Shumate.--5.

Excused: Christian, DeWitt, Enns, Ortega, Schwartz, Trebilcock.--6.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 287** and ordered same returned to the Honorable Senate.

GENERAL ORDER

SB 407 by Brown of the Senate and Mulready of the House was read and considered.

Representative Mulready moved that **SB 407** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 407 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, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, Dorman, 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, 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, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--96.

Excused: Christian, DeWitt, Enns, Ortega, Trebilcock.--5.

The measure passed.

SB 407 was referred for engrossment.

GENERAL ORDER

SB 648 by Aldridge of the Senate and Kirby of the House was read and considered.

Representative Kirby moved that **SB 648** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 648 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, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, 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, 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, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--95.

Excused: Christian, Enns, Ortega, Shumate, Trebilcock, Vaughan.--6.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 648** and ordered same returned to the Honorable Senate.

MESSAGES FROM THE SENATE

Announcing that Enrolled **HBs 1008** and **1359** 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.

Announcing that Enrolled **HCRs 1007** and **1009** have been signed by the Presiding Officer of Senate, in open session.

The above measures were ordered filed with the Secretary of State.

Returning engrossed measures

Announcing the passage of **HBs 1638** and **2139**, Coauthored by Senator Ford.

The above-numbered measures were referred for enrollment.

Returning engrossed measure, as amended

Announcing the passage of and returning engrossed measure as amended **HB 1271**.

Senate amendments were read on the above-numbered measure.

Transmitting enrolled measures

Advising fourth reading of and transmitting for signature Enrolled **SBs 130, 160, 179, 187, 263, 277, 282 and 443.**

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

COMMITTEE REPORTS

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

DO PASS:

- SB 57** – Insurance
- SB 186** – Administrative Rules and Government Oversight
- SB 237** – Public Safety
- SB 239** – Rules
- SB 270** – Economic Development, Tourism and Financial Services
- SB 416** – Public Safety
- SB 547** – Insurance, Coauthored by Representative(s) Christian
- SB 603** – Rules
- SB 801** – Insurance
- SB 840** – Economic Development, Tourism and Financial Services
- SJR 25** – Rules

DO PASS, As Amended:

- CS for SB 190** – Government Modernization
- CS for SB 194** – Economic Development, Tourism and Financial Services
- CS for SB 206** – Rules
- CS for SB 267** – General Government
- CS for SB 299** – Public Health
- SB 350** – Insurance
- CS for SB 377** – Economic Development, Tourism and Financial Services
- CS for SB 412** – Public Health
- CS for SB 536** – Rules
- CS for SB 542** – Administrative Rules and Government Oversight
- CS for SB 571** – General Government
- CS for SB 608** – Government Modernization
- CS for SB 610** – Higher Education and Career Tech
- CS for SB 658** – Rules, Coauthored by Representative(s) Dorman
- CS for SB 673** – Public Health, Coauthored by Representative(s) Ritze
- CS for SB 679** – Public Health

CS for SB 753 – General Government

CS for SB 782 – Economic Development, Tourism and Financial Services

CS for SB 794 – Economic Development, Tourism and Financial Services

CS for SB 867 – Government Modernization

CS for SB 919 – Public Safety, Coauthored by Representative(s) Sanders

SJR 16 – Rules

Representative Sullivan moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 1:30 p.m., Monday, April 4, 2011, which was the order.

Pursuant to the motion of Representative Sullivan, the House was adjourned at 10:35 a.m., to reconvene Monday, April 4, 2011, at 1:30 p.m.