

HOUSE JOURNAL

First Regular Session of the Fifty-third Legislature

of the State of Oklahoma

Thirty-fifth Legislative Day, Thursday, April 7, 2011

The House was called to order by Representative Armes.

The roll was called with 99 Members present.

The following Members were excused: Jordan, Kirby.—2.

Representative Armes declared a quorum present.

Prayer was offered by Dr. Randall Faulkner, Metropolitan Baptist Church, Oklahoma City. Dr. Faulkner was sponsored by Representative Nelson.

Upon motion of Representative Thomsen, Dr. Faulkner was confirmed as House Chaplain for this legislative day.

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HBs 1015, 1016, 1017, 1018, 1019, 1026, 1323, 1374, 1564, 1606, 1669, 1685 and 1909 were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

HAs to SBs 347, 435 and 701 were reported correctly engrossed, properly signed, in open session, and the measures, as amended, were ordered returned to the Honorable Senate.

GENERAL ORDER

SB 420 by Fields of the Senate and McNiell of the House was read and considered.

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

Aye: Armes, Banz, Billy, Blackwell, Brumbaugh, Casey, Cockroft, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Enns, Farley, Faught, Grau, Hall, Hardin, Hickman, Hilliard, Holland, Jackson, Johnson, Joyner, Kern, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiell, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pruett, Quinn, Richardson, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Schwartz, Sears, Shannon, Shoemake, Stiles, Sullivan, Thomsen, Tibbs, Vaughan, Watson, Wesselhoft, Wright, Mr. Speaker.--63.

Nay: Bennett, Cannaday, Christian, Condit, Dorman, Fourkiller, Glenn, Hamilton, Hoskin, Inman, Key, Kouplen, Lockhart, McDaniel (Jeannie), McPeak, Morgan, Morrisette, Pittman, Proctor, Reynolds, Ritze, Roan, Rousselot, Scott, Shelton, Sherrer, Shumate, Terrill, Virgin, Walker.--30.

Excused: Brown, Jordan, Kirby, McAffrey, Moore, Renegar, Trebilcock, Williams.--8.

Upon motion of Representative McNiell, **SB 420** was withdrawn from the Calendar and referred to the Agriculture, Wildlife and Environment Committee.

GENERAL ORDER

SB 89 by Jolley of the Senate and Murphey et al of the House was read and considered.

Representative Blackwell moved that **SB 89** be advanced from General Order, which motion was declared adopted upon roll call as follows:

Aye: Armes, Banz, Billy, Blackwell, Brumbaugh, Casey, Cockroft, Coody, Cox, Denney, Derby, DeWitt, Farley, Grau, Hall, Hardin, Hickman, Hilliard, Holland, Jackson, Johnson, Kern, Liebmann, Martin (Scott), McCullough, McDaniel (Randy), McNiell, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Richardson, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Schwartz, Sears, Shannon, Stiles, Sullivan, Thomsen, Tibbs, Vaughan, Watson, Wesselhoft, Mr. Speaker.--53.

Nay: Bennett, Brown, Cannaday, Christian, Condit, Dank, Dorman, Enns, Fourkiller, Glenn, Hamilton, Hoskin, Inman, Key, Lockhart, Martin (Steve), McDaniel (Jeannie), McPeak, Moore, Morgan, Morrisette, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Ritze, Rousselot, Scott, Shelton, Sherrer, Shoemake, Shumate, Terrill, Walker, Williams, Wright.--38.

Excused: Cooksey, Faught, Jordan, Joyner, Kirby, Kouplen, McAffrey, Roan, Trebilcock, Virgin.--10.

THIRD READING

SB 89 was read at length for the third time.

Representative Blackwell moved to put the Previous Question.

Representative Reynolds moved to table the Blackwell motion to put the Previous Question.

Representative Blackwell withdrew his motion.

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

Aye: Blackwell, Cockroft, Coody, Dorman, Hamilton, Key, McCullough, Morrisette, Murphey, Pruett, Sanders, Scott, Sherrer, Virgin, Williams.--15.

Nay: Armes, Banz, Bennett, Billy, Brown, Brumbaugh, Cannaday, Casey, Christian, Condit, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Enns, Farley, Faught, Fourkiller, Glenn, Grau, Hall, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Joyner, Kern, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McAffrey, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morgan, Mulready, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Quinn, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Schwartz, Sears, Shannon, Shelton, Shoemake, Shumate, Stiles, Sullivan, Thomsen, Tibbs, Vaughan, Walker, Watson, Wesselhoft, Wright, Mr. Speaker.--82.

Excused: Jordan, Kirby, Terrill, Trebilcock.--4.

The measure failed.

Representative Murphey served notice to reconsider the vote whereby **SB 89** failed.

RESOLUTION FOR CONSIDERATION

HCR 1011 was called up for consideration.

Authored by Senator Schulz (principal Senate author)

Upon motion of Representative Blackwell, **HCR 1011** was considered and adopted.

HCR 1011 was referred for engrossment.

GENERAL ORDER

SB 603 by Schulz of the Senate and Blackwell of the House was read and considered.

Representative Blackwell moved that **SB 603** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 603 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, Cox, Dank, Denney, Derby, DeWitt, Dorman, Enns, Farley, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Joyner, Kern, Key, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, Moore, Morgan, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Proctor, Pruett, Renegar, Richardson, 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.--92.

Nay: Peterson, Quinn, Reynolds, Ritze.--4.

Excused: Jordan, Kirby, McPeak, Pittman, Trebilcock.--5.

The measure passed.

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

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

Nay: Bennett, Brown, Cannaday, Christian, Condit, Dorman, Fourkiller, Glenn, Hamilton, Hilliard, Hoskin, Inman, Key, Kouplen, McAffrey, McDaniel (Jeannie), McPeak, Morgan, Morrissette, Proctor, Quinn, Reynolds, Ritze, Rousselot, Scott, Shelton, Sherrer, Shoemake, Stiles, Williams.--30.

Excused: Jordan, Kirby, Lockhart, Osborn, Pittman, Renegar, Roan, Trebilcock, Virgin, Walker.--10.

The emergency failed.

Representative Blackwell served notice to reconsider the vote whereby the emergency failed.

MESSAGES FROM THE SENATE

Announcing the passage of **HBs 1044**, Coauthored by Senators Sparks, Brecheen, Shortey, Garrison and Representative Billy, **1296**, Coauthored by Senator Garrison, **1511**, Coauthored by Senators Allen, Sykes, Brinkley, Shortey, Treat, Russell, Schulz, Branan, Paddack, Garrison and **1812**, Remove Representative Morgan as principal House author and substitute with Representative Shannon.

The above-numbered measures were referred for enrollment.

Returning engrossed measures, as amended

Announcing the passage of and returning engrossed measures as amended **HBs 1285**, Coauthored by Senator Johnson (Constance), **1954** and **2117**, Coauthored by Senator Ivester.

Senate amendments were read on the above-numbered measures.

Returning enrolled measures

Announcing that Enrolled **HBs 1015, 1016, 1017, 1018, 1019, 1026, 1323, 1374, 1564, 1606, 1669, 1685** and **1909** 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.

Transmitting enrolled measures

Advising fourth reading of and transmitting for signature Enrolled **SBs 92, 117, 657** and **921**.

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 73 – Rules, Coauthored by Representative(s) Pittman

SB 141 – Appropriations and Budget

SB 241 – Appropriations and Budget

SB 247 – Appropriations and Budget

SB 275 – Appropriations and Budget

SB 328 – Rules

SB 563 – Appropriations and Budget

SB 587 – Appropriations and Budget

SB 664 – Appropriations and Budget

SB 789 – Economic Development, Tourism and Financial Services, Remove Representative Sanders as principal House author and substitute with Representative Jackson

SB 808 – Rules

SJR 15 – Rules, Remove Representative Jackson as principal House author and substitute with Representative Osborn, and Coauthored by Representative(s) Jackson, Trebilcock

SJR 37 – Rules

DO PASS, As Amended:

CS for HJR 1045 – Administrative Rules and Government Oversight, Coauthored by Representative(s) Bennett, and Authored by Senator Wyrick (principal Senate author)

CS for SB 13 – Appropriations and Budget

CS for SB 46 – Appropriations and Budget, Coauthored by Representative(s) Pittman, Brown, and Coauthored by Senator(s) Stanislawski

CS for SB 60 – Rules

CS for SB 91 – Rules

CS for SB 105 – Appropriations and Budget

CS for SB 109 – Appropriations and Budget

SB 115 – Rules

CS for SB 132 – Appropriations and Budget, Coauthored by Representative(s) Pittman

SB 169 – Appropriations and Budget

SB 175 – Appropriations and Budget

CS for SB 180 – Appropriations and Budget

CS for SB 185 – Appropriations and Budget

CS for SB 232 – Rules

CS for SB 252 – Appropriations and Budget

- CS for **SB 256** – Appropriations and Budget
- CS for **SB 259** – Economic Development, Tourism and Financial Services
- CS for **SB 264** – Rules
- SB 278** – Appropriations and Budget, Coauthored by Representative(s) Billy
- CS for **SB 324** – Public Safety
- CS for **SB 363** – Appropriations and Budget, Remove Representative Christian as principal House author and substitute with Representative Osborn
- CS for **SB 379** – Public Safety
- SB 397** – Economic Development, Tourism and Financial Services
- CS for **SB 487** – Appropriations and Budget
- SB 517** – Appropriations and Budget
- CS for **SB 593** – Appropriations and Budget
- CS for **SB 637** – Administrative Rules and Government Oversight, Coauthored by Representative(s) Bennett, Richardson
- CS for **SB 684** – Economic Development, Tourism and Financial Services
- CS for **SB 708** – Economic Development, Tourism and Financial Services, Coauthored by Representative(s) Pittman
- SB 728** – Appropriations and Budget
- CS for **SB 729** – Appropriations and Budget
- SB 730** – Appropriations and Budget
- CS for **SB 732** – Appropriations and Budget
- SB 733** – Appropriations and Budget
- CS for **SB 744** – Appropriations and Budget
- SB 750** – Appropriations and Budget
- CS for **SB 783** – Rules
- CS for **SB 902** – Appropriations and Budget
- CS for **SB 928** – Economic Development, Tourism and Financial Services, Coauthored by Representative(s) Shelton
- CS for **SB 969** – Appropriations and Budget, Coauthored by Representative(s) Richardson, Shumate, Wright, Billy, Ortega, Newell, Hickman
- CS for **SJR 5** – Rules, Coauthored by Representative(s) Inman

MESSAGE FROM THE GOVERNOR

Advising of her approval of **HB 1638** on April 7, 2011.

APPOINTMENTS

April 7, 2011 – Representative McDaniel (Randy) appointed as a Member of the Fiscal Affairs and Government Operations Committee of the Southern Legislative Conference of the Council of State Governments. (Bylaws of the Southern Legislative Conference of the Council of State Governments)

Representative Sullivan moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 1:30 p.m., Monday, April 11, 2011, which was the order.

Pursuant to the motion of Representative Sullivan, the House was adjourned at 10:55 a.m., to reconvene Monday, April 11, 2011, at 1:30 p.m.