

# HOUSE JOURNAL

**First Regular Session of the Fifty-third Legislature**

**of the State of Oklahoma**

**Fifty-first Legislative Day, Monday, May 9, 2011**

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

The roll was called with 99 Members present.

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

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Chaplain Eddie Coast, Baptist General Convention of Oklahoma, Lawton. Chaplain Coast was sponsored by Representative Dorman.

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

The Journal for the last legislative day was approved.

## **ENGROSSED AND ENROLLED MEASURES**

**HBs 1607, 1658 and 2131** were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

**HRs 1030 and 1031** were reported correctly enrolled, properly signed, in open session, and ordered transmitted to the Secretary of State.

## **SECOND READING**

The following was read for the second time and referred to committee:

**HJR 1064** – Administrative Rules and Government Oversight

**PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 1321** was called up for consideration.

Upon motion of Representative Wright, the **CCR** on **HB 1321** was adopted.

**HB 1321**, as amended in conference, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Armes, Banz, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Dank, Denney, Derby, Dorman, Farley, Faught, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Hilliard, Holland, Jackson, Johnson, Joyner, Kern, Key, Kouplen, Liebmann, Lockhart, Martin (Scott), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Proctor, Pruett, Quinn, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shoemake, Stiles, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Vaughan, Walker, Watson, Wesselhoft, Wright, Mr. Speaker.--81.

Nay: Cox, Fourkiller, Hoskin, Martin (Steve), McPeak, Morrissette, Renegar, Sherrer, Virgin, Williams.--10.

Excused: Bennett, DeWitt, Enns, Inman, Jordan, Kirby, Morgan, Pittman, Shelton, Shumate.--10.

The measure passed.

**HB 1321**, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

**RECONSIDERATION**

Representative Dank moved to reconsider the vote whereby **HB 1283** failed, which motion prevailed upon roll call as follows:

Aye: Banz, Billy, Brumbaugh, Casey, Coody, Cooksey, Cox, Dank, Denney, Dorman, Faught, Glenn, Hall, Hickman, Holland, Jackson, Johnson, Kern, Key, Liebmann, Martin (Scott), Martin (Steve), McAffrey, McDaniel (Randy), McNiel, Moore, Morrissette, Mulready, Murphey, Nelson, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Reynolds, Richardson, Rousselot, Russ, Scott, Sears, Shannon, Sullivan, Tibbs, Vaughan, Virgin, Walker, Watson, Wesselhoft, Mr. Speaker.--51.

Nay: Cannaday, Christian, Cockroft, Derby, Farley, Fourkiller, Grau, Hilliard, Hoskin, Joyner, Kouplen, McCullough, Newell, Pruett, Renegar, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Sherrer, Shoemake, Stiles, Terrill, Thomsen, Williams.--25.

Excused: Armes, Bennett, Blackwell, Brown, Condit, DeWitt, Enns, Hamilton, Hardin, Inman, Jordan, Kirby, Lockhart, McDaniel (Jeannie), McPeak, Morgan, Pittman, Proctor, Quinn, Sanders, Schwartz, Shelton, Shumate, Trebilcock, Wright.--25.

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

Aye: Armes, Banz, Coody, Cox, Dank, Denney, DeWitt, Dorman, Hamilton, Hickman, Holland, Inman, Kern, Key, Liebmann, McAffrey, McDaniel (Jeannie), Moore, Morgan, Morrisette, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Proctor, Richardson, Rousselot, Russ, Scott, Sears, Shannon, Shelton, Sullivan, Tibbs, Virgin, Watson, Wesselhoft, Wright, Mr. Speaker.--42.

Nay: Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Cooksey, Derby, Farley, Faught, Glenn, Grau, Hall, Hardin, Hilliard, Hoskin, Jackson, Johnson, Jordan, Joyner, Kirby, Kouplen, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiell, McPeak, Mulready, Newell, Nollan, Pruett, Quinn, Renegar, Reynolds, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Sanders, Schwartz, Sherrer, Shoemake, Stiles, Terrill, Thomsen, Trebilcock, Vaughan, Walker, Williams.--54.

Excused: Bennett, Enns, Fourkiller, Pittman, Shumate.--5.

The measure failed.

## **RESOLUTION FOR CONSIDERATION**

**SCR 16** was called up for consideration.

Upon motion of Representative Denney, **SCR 16** was considered and adopted.

**SCR 16** was properly signed, in open session, by the Presiding Officer and ordered returned to the Honorable Senate.

## **RESOLUTION FOR CONSIDERATION**

**SCR 19** was called up for consideration.

Upon unanimous consent request of Representative Roan, all Members of the House were added as coauthors.

Upon motion of Representative Roan, **SCR 19** was considered and adopted.

**SCR 19** was properly signed, in open session, by the Presiding Officer and ordered returned to the Honorable Senate.

**FIRST READING**

The following was introduced and read for the first time:

**HJR 1065** – By Cox.

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

**RESOLUTIONS**

The following were introduced and read:

**HR 1033** – By Wesselhoft and Bennett.

A Resolution expressing gratitude to the President and the United States military for bringing justice to Osama bin Laden.

**HR 1034** – By McPeak.

A Resolution recognizing Armed Forces for efforts and sacrifices for nation; calling for a moment of silence; commending President Obama for bringing to justice Osama bin Laden.

**MESSAGES FROM THE SENATE**

Advising fourth reading of and transmitting for signature Enrolled **SBs 10, 216, 377, 408, 494, 567, 684, 794, 815, 844** and **919**.

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

**Returning enrolled measures**

Announcing that Enrolled **HBs 1607, 1658** and **2131** 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.

**Returning engrossed measure**

Announcing the passage of **HJR 1045**.

The above-numbered measure was referred for enrollment.

### **Concurrence in HAs**

Announcing the concurrence of Senate in **HAs** to **SBs 347, 377, 541, 637, 794, 965** and **969** and the passage of said measures, as amended thereby.

### **Conference requested**

Advising rejection of **HAs** and requesting conference thereon, the Senate naming conferees later on **SBs 194, 272, 398, 407, 492, 510, 740** and **959**.

### **Conference granted, conferees named**

Advising conference granted and the Senate naming conferees as follows:

**HB 1446** – Justice, Sykes, Newberry, Brinkley, Allen, Fields, Ballenger, Ellis, Garrison

### **Conferees named**

Advising the Senate naming conferees as follows:

**SB 200** – GCCA

**SB 232** – GCCA

**SB 250** – GCCA

**SB 264** – Jolley, Ford, Halligan, Stanislowski, Rice, Burrage

**SB 280** – Stanislowski, Ford, Brinkley, David, Eason McIntyre, Garrison

**SB 483** – GCCA

**SB 487** – GCCA

**SB 529** – Jolley, Barrington, Nichols, Johnson (Rob), Burrage, Garrison

**SB 614** – Jolley, Aldridge, Mazzei, Brinkley, Ivester, Wilson

**SB 671** – GCCA

**SB 750** – GCCA

**SB 761** – Jolley, Sykes, Johnson (Rob), Crain, Paddack, Sparks

**SB 772** – GCCA

**SB 798** – Jolley, Sykes, Johnson (Rob), Crain, Burrage, Laster

**SB 935** – GCCA

### **Conferees changed**

Advising removing GCCA and the Senate naming conferees as follows:

**SB 154** – Mazzei, Brinkley, Ford, David, Wilson, Ballenger

**CONFERENCE GRANTED**

Upon motion of Representative Sullivan, the House granted the request of the Honorable Senate for conference on the following measures and the Speaker named conferees:

- SB 195** – Conference Committee on General Government and Transportation
- SB 218** – Conference Committee on Insurance and Economic Development
- SB 232** – Conference Committee on Government Modernization and Rules
- SB 247** – General Conference Committee on Appropriations
- SB 250** – Conference Committee on Public Safety, Judiciary and Military Affairs
- SB 264** – Conference Committee on Government Modernization and Rules
- SB 483** – Conference Committee on Health and Human Services
- SB 487** – General Conference Committee on Appropriations
- SB 529** – General Conference Committee on Appropriations
- SB 614** – Conference Committee on Public Safety, Judiciary and Military Affairs
- SB 671** – Conference Committee on Public Safety, Judiciary and Military Affairs
- SB 750** – General Conference Committee on Appropriations
- SB 761** – Conference Committee on Public Safety, Judiciary and Military Affairs
- SB 772** – Conference Committee on Government Modernization and Rules
- SB 798** – Conference Committee on Insurance and Economic Development
- SB 821** – Conference Committee on Redistricting
- SB 878** – Conference Committee on Public Safety, Judiciary and Military Affairs
- SB 935** – General Conference Committee on Appropriations

**CCRs SUBMITTED**

The conference committee reports were read on the following measures:

- HB 1322**
- HB 1917**

**MESSAGES FROM THE GOVERNOR**

Advising of her approval of **HBs 1998** and **2004** on May 6, 2011.

Advising of her approval of **HBs 1051, 1267, 1347, 1648** and **2033** on May 9, 2011.

Representative Sullivan moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 10:30 a.m., Tuesday, May 10, 2011, which was the order.

Pursuant to the motion of Representative Sullivan, the House was adjourned at 2:30 p.m., to reconvene Tuesday, May 10, 2011, at 10:30 a.m.