

HOUSE JOURNAL

Second Regular Session of the Fifty-third Legislature

of the State of Oklahoma

Thirty-ninth Legislative Day, Thursday, April 12, 2012

The House was called to order by Representative McDaniel (Randy).

The roll was called with 96 Members present.

The following Members were excused: Dank, Hilliard.—2.

Vacancy: District 23, District 71, District 88.—3.

Representative McDaniel (Randy) declared a quorum present.

Prayer was offered by Pastor Jan Ivan Oden, Family Life Church, Altus.
Pastor Oden was sponsored by Representative Ortega.

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

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HAs to SBs 1320, 1493, 1678 and 1866 were reported correctly engrossed, properly signed, in open session, and the measures, as amended, were ordered returned to the Honorable Senate.

HBs 1577, 2302, 2364, 2429, 2518 and 2970 were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

Speaker Pro Tempore Hickman Presiding

GENERAL ORDER

SB 134 by David et al of the Senate and Cox et al of the House was read and considered.

Representative Cox moved to amend **SB 134** by deleting Section 1 and inserting in lieu thereof a new Section 1 as follows:

“SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 519.6a of Title 59, unless there is created a duplication in numbering, reads as follows:

A. A physician assistant licensed to practice in this state or another state or credentialed by a federal employer who is responding to a need for emergency medical care under a state or federal declared emergency disaster may provide medical care that the physician assistant is able to provide under the supervision of a licensed allopathic or osteopathic physician as available onsite at the scene of the disaster. The physician assistant shall only render medical services within the physician assistant's scope of practice. This medical service period shall not extend beyond the first forty-eight (48) hours after the declaration.

B. Any licensed allopathic or osteopathic physician or physician assistant who provides care onsite in a declared emergency pursuant to subsection A of this section shall not be liable for damages as a result of any acts or omissions except for committing gross negligence or willful or wanton wrongs in rendering care. The physician assistant supervisory allopathic or osteopathic physician shall not be liable for any damages as a result of any acts or omissions of the physician assistant.”,

which amendment was declared adopted.

Representative Cox moved that **SB 134** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 134 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Brown, Brumbaugh, Cannaday, Casey, Cockroft, Condit, Coody, Cooksey, Cox, Denney, Derby, DeWitt, Dorman, Faught, Fourkiller, Glenn, Grau, Hall, Hardin, Hickman, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Kern, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Mulready, Murphey, Newell, Nollan, Ortega, Ownbey, Peters, Peterson, Pittman, Proctor, Pruet, Quinn, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Sears, Shannon, Shelton, Sherrer, Shoemake, Thomsen, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wright, Mr. Speaker.--79.

Excused: Billy, Blackwell, Christian, Dank, Enns, Hamilton, Hilliard, Joyner, Key, Kirby, Morgan, Morrisette, Nelson, Osborn, Scott, Shumate, Stiles, Terrill, Williams.--19.

Vacancy: District 23, District 71, District 88.--3.

The measure passed.

SB 134 was referred for engrossment.

SECOND READING

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

HJR 1119 – Administrative Rules and Government Oversight

THIRD READING

SB 1533 as read at length for the third time and laid over on Page 841 was called up for further consideration.

Representative Terrill withdrew his previous motion to rescind the Third Reading of **SB 1533** and to rescind the vote whereby **SB 1533** was advanced from General Order.

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

Aye: Armes, Banz, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Cockroft, Condit, Coody, Cooksey, Cox, Denney, Derby, DeWitt, Dorman, Enns, Faught, Fourkiller, Glenn, Grau, Hall, Hardin, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Morgan, Mulready, Murphey, Nelson, Newell, Nollan, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Richardson, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Sanders, Schwartz, Sears, Shannon, Shelton, Sherrer, Shoemake, Terrill, Thomsen, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wright, Mr. Speaker.--81.

Nay: Bennett, Hickman, Moore, Reynolds, Ritze, Russ.--6.

Excused: Christian, Dank, Hamilton, Hilliard, Morrisette, Ortega, Osborn, Scott, Shumate, Stiles, Williams.--11.

Vacancy: District 23, District 71, District 88.--3.

The measure and emergency passed.

SB 1533 was referred for engrossment.

GENERAL ORDER

SB 1108 by Anderson of the Senate and McDaniel (Randy) of the House was read and considered.

Representative Inman moved to amend **SB 1108**, Page 5, Section 4, Line 13 by creating a new subsection B to read as follows:

“B. All members appointed to the Council of Bond Oversight shall be either a public accountant licensed and holding a permit, or a person with professional or practical experience in the use of accounting services and financial matters and who shall have met the educational requirements to qualify as a candidate for examination for the license of public accountant, or shall be a certified public accountant holding a certificate. All members shall have been engaged in the practice of public accounting as a certified public accountant continuously for not less than five (5) out of the last fifteen (15) years immediately preceding their appointments.”, and relettering subsequent sections; and Page 12, Section 7 by striking all new language beginning with the word “However” on Line 21 and ending with the word “Entity;” on Page 13, Line 2.

Representative Inman moved to amend the main amendment, Page 5, Section 4, Line 13 by creating a new subsection B to read as follows:

“B. All members appointed to the Council of Bond Oversight shall be either a public accountant licensed and holding a permit, or a person with professional or practical experience in the use of accounting services and financial matters and who shall have met the educational requirements to qualify as a candidate for examination for the license of public accountant, or shall be a certified public accountant holding a certificate. All members shall have been engaged in the practice of public accounting for not less than five (5) out of the last fifteen (15) years immediately preceding their appointments.”, and relettering subsequent sections; and Page 12, Section 7 by striking all new language beginning with the word “However” on Line 21 and ending with the word “Entity;” on Page 13, Line 2.

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

Aye: Armes, Banz, Billy, Brumbaugh, Casey, Cockroft, Coody, Cooksey, Cox, Derby, DeWitt, Enns, Grau, Hall, Hickman, Holland, Jordan, Joyner, Kern, Kirby, Liebmann, Martin (Scott), Martin (Steve), McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Nelson, Nollan, Ownbey, Peters, Peterson, Quinn, Richardson, Roberts (Sean), Russ, Sanders, Shannon, Thomsen, Watson, Wesselhoft, Wright, Mr. Speaker.--44.

Nay: Cannaday, Condit, Dorman, Fourkiller, Glenn, Hamilton, Hoskin, Inman, Key, Kouplun, Lockhart, McDaniel (Curtis), McDaniel (Jeannie), Morrissette, Proctor, Pruett, Renegar, Reynolds, Ritze, Roan, Rousselot, Shelton, Shoemake, Terrill, Trebilcock, Walker.--26.

Excused: Bennett, Blackwell, Brown, Christian, Dank, Denney, Faught, Hardin, Hilliard, Jackson, Johnson, McCullough, McPeak, Morgan, Newell, Ortega, Osborn, Pittman, Roberts (Dustin), Schwartz, Scott, Sears, Sherrer, Shumate, Stiles, Vaughan, Virgin, Williams.--28.

Vacancy: District 23, District 71, District 88.--3.

Representative Reynolds moved to suspend House Rule 8.6 for the purpose of allowing consideration of an untimely filed amendment to the main floor amendment.

Representative McDaniel (Randy) moved to table the Inman main floor amendment, which motion was not recognized because the pending motion was the Reynolds motion to suspend House Rules.

Representative McDaniel (Randy) raised a point of inquiry as to which motion, the motion to suspend House Rules or the motion to table the Inman main floor amendment, was to be given priority.

The Presiding Officer stated that the motion to suspend House Rules was the prior motion because it was offered before the McDaniel (Randy) motion to lay the Inman main floor amendment on the table.

Representative Peterson moved to table the Reynolds motion to suspend House Rules.

Representative Reynolds raised a point of order as to whether the Peterson motion to table a motion to suspend House Rules was in order for consideration.

The Presiding Officer stated that the motion to table is of higher rank than a motion to suspend House Rules and as such, ruled the motion in order and the point not well taken.

Representative Reynolds raised a point of inquiry as to whether the motion to table a motion to suspend House Rules was a dilatory motion because it would have the same procedural effect, to which the Presiding Officer referenced House Rule 10.1 noting that the motion to table is of higher rank and therefore not a dilatory motion.

Representative Peterson pressed her motion to table the Reynolds motion, which tabling motion was declared adopted.

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

Aye: Armes, Banz, Billy, Brumbaugh, Casey, Cockroft, Coody, Cooksey, Derby, DeWitt, Enns, Faught, Grau, Hall, Hickman, Holland, Johnson, Jordan, Joyner, Kern, Kirby, Liebmann, Martin (Scott), Martin (Steve), McDaniel (Randy), Mulready, Murphey, Nelson, Nollan, Osborn, Ownbey, Peters, Peterson, Quinn, Roberts (Sean), Russ, Sanders, Schwartz, Shannon, Vaughan, Watson, Wesselhoft, Wright, Mr. Speaker.--44.

Nay: Bennett, Cannaday, Christian, Dorman, Fourkiller, Glenn, Hoskin, Inman, Key, Kouplen, Lockhart, McDaniel (Curtis), McDaniel (Jeannie), Morgan, Morrisette, Pittman, Proctor, Pruett, Reynolds, Ritze, Roan, Roberts (Dustin), Rousselot, Shelton, Sherrer, Shoemake, Shumate, Stiles, Terrill, Trebilcock, Virgin, Walker.--32.

Excused: Blackwell, Brown, Condit, Cox, Dank, Denney, Hamilton, Hardin, Hilliard, Jackson, McCullough, McNeil, McPeak, Moore, Newell, Ortega, Renegar, Richardson, Scott, Sears, Thomsen, Williams.--22.

Vacancy: District 23, District 71, District 88.--3.

Representative McDaniel (Randy) moved that **SB 1108** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1108 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Billy, Blackwell, Brumbaugh, Casey, Christian, Cockroft, Coody, Cooksey, Cox, Denney, Derby, DeWitt, Enns, Faught, Grau, Hall, Hardin, Hickman, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McNeil, Moore, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pruett, Quinn, Renegar, Richardson, Roan, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Stiles, Terrill, Thomsen, Trebilcock, Vaughan, Walker, Watson, Wesselhoft, Wright, Mr. Speaker.--73.

Nay: Bennett, Brown, Cannaday, Condit, Fourkiller, Glenn, Hamilton, Lockhart, McDaniel (Curtis), Morgan, Morrisette, Proctor, Reynolds, Ritze, Rousselot, Shelton, Shoemake, Shumate, Virgin.--19.

Excused: Dank, Dorman, Hilliard, McPeak, Pittman, Williams.--6.

Vacancy: District 23, District 71, District 88.--3.

The measure passed.

SB 1108 was referred for engrossment.

GENERAL ORDER

SB 221 by Ballenger of the Senate and Sanders of the House was read and considered.

Representative Sanders moved that **SB 221** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 221 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, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Denney, Derby, DeWitt, Dorman, Enns, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morgan, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Proctor, Pruett, Quinn, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Scott, Sears, Shannon, Shelton, Shoemake, Shumate, Stiles, Terrill, Thomsen, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wright, Mr. Speaker.--91.

Excused: Dank, Hilliard, Key, Pittman, Schwartz, Sherrer, Williams.--7.

Vacancy: District 23, District 71, District 88.--3.

The measure and emergency passed.

The Presiding Officer signed, in open session, Engrossed **SB 221** and ordered same returned to the Honorable Senate.

GENERAL ORDER

SB 223 by Ballenger of the Senate and Sanders of the House was read and considered.

Representative Sanders moved that **SB 223** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 223 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, Condit, Coody, Cooksey, Cox, Denney, Derby, DeWitt, Dorman, Enns, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morgan, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Proctor, Pruett, Quinn, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot,

Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Shoemake, Shumate, Stiles, Terrill, Thomsen, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wright, Mr. Speaker.--91.

Excused: Cockroft, Dank, Hilliard, Key, Pittman, Sherrer, Williams.--7.

Vacancy: District 23, District 71, District 88.--3.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 223** and ordered same returned to the Honorable Senate.

RECONSIDERATION

Representative Vaughan moved to reconsider the vote whereby **HJR 1107** failed, which motion prevailed upon roll call as follows:

Aye: Armes, Banz, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Condit, Coody, Cooksey, Cox, Denney, DeWitt, Dorman, Enns, Fourkiller, Glenn, Hall, Hamilton, Hardin, Hickman, Holland, Inman, Jackson, Johnson, Jordan, Joyner, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Curtis), McDaniel (Jeannie), McNiel, McPeak, Moore, Morrisette, Mulready, Murphey, Nelson, Newell, Ortega, Osborn, Ownbey, Peters, Peterson, Proctor, Pruett, Quinn, Renegar, Roberts (Sean), Sanders, Schwartz, Scott, Sears, Shannon, Shoemake, Stiles, Terrill, Thomsen, Trebilcock, Watson, Wright, Mr. Speaker.--67.

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

Excused: Bennett, Billy, Cockroft, Dank, Derby, Faught, Grau, Hilliard, Hoskin, Kern, Key, Kirby, McDaniel (Randy), Morgan, Nollan, Pittman, Richardson, Roan, Roberts (Dustin), Rousselot, Russ, Sherrer, Shumate, Vaughan, Virgin, Walker, Wesselhoft, Williams.--28.

Vacancy: District 23, District 71, District 88.--3.

THIRD READING

HJR 1107 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Condit, Coody, Cooksey, Cox, Denney, Derby, DeWitt, Dorman, Enns, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel,

McPeak, Moore, Morgan, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Proctor, Pruett, Quinn, Renegar, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shoemake, Shumate, Thomsen, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--84.

Nay: Bennett, Christian, Reynolds, Ritze, Shelton, Stiles, Terrill.--7.

Excused: Cockroft, Dank, Hilliard, Key, Pittman, Richardson, Sherrer.--7.

Vacancy: District 23, District 71, District 88.--3.

The measure passed.

HJR 1107 was referred for engrossment.

MESSAGE FROM THE SENATE

Announcing the passage of and returning engrossed measures as amended: **HBs 1814, 2286 and 2683.**

Senate amendments were read on the above-numbered measures.

RESOLUTION FOR CONSIDERATION

SCR 35 was called up for consideration.

Coauthored by Representative(s) McDaniel (Jeannie), Ritze, McCullough, Roan, Roberts (Sean), Cannaday

Upon motion of Representative Shumate, **SCR 35** was considered and adopted.

SCR 35 was properly signed, in open session, by the Presiding Officer and ordered returned to the Honorable Senate.

MESSAGES FROM THE SENATE

Announcing that enrolled **HBs 1577, 2302, 2364, 2429, 2518 and 2970** 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 1000, 1354 and 1830**.

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

Transmitting engrossed measure

Announcing the passage of **SCR 37**. The measure was introduced and read.

SCR 37 – By Halligan, Fields, Adelson, Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Ford, Garrison, Griffin, Holt, Ivester, Johnson (Constance), Johnson (Rob), Jolley, Justice, Laster, Lerblance, Marlatt, Mazzei, McAffrey, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick of the Senate and Denney and Williams of the House.

A Concurrent Resolution congratulating the Oklahoma State University Cowgirls Basketball Team for winning the 2012 Women's National Invitation Tournament; extending condolences; and directing distribution.

GENERAL ORDER

SB 1913 by Simpson of the Senate and Ownbey et al of the House was read and considered.

Coauthored by Representative(s) Osborn, Pittman

Representative Morrisette moved to amend **SB 1913**, Page 2, Section 1, Line 17 by adding after the period “.” the following language:

“Except as otherwise provided for, the Commission shall use products or materials made from Eastern Red Cedar trees registered with the Eastern Red Cedar Registry Board pursuant to Section 18-404 of Title 2 of the Oklahoma Statutes and that preference be given to Eastern Red Cedar trees cut and harvested by individuals registered as cutter harvesters with the Eastern Red Cedar Registry Board in the construction of a lodge and any associated facilities as authorized in this paragraph. The Commission may use other tree or wood products or materials only if the registered Eastern Red Cedar products or materials are not available in sufficient quantity, if the price for the registered Eastern Red Cedar products and materials are substantially higher than the price for other wood products and materials or the quality and grade requirements of the registered Eastern Red Cedar products and materials are not otherwise comparable.”

Representative Ownbey moved to table the Morrissette amendment, which tabling motion was declared adopted upon a division of the question.

Representative Reynolds moved to amend **SB 1913**, Page 2, Section 1 by deleting the new language on Lines 13-17 and inserting in lieu thereof the following language:

“2. Beginning July 1, 2012, and ending June 30, 2020, the Commission shall transfer funds not to exceed Fifteen Million Dollars (\$15,000,000.00) from the principal of the Trust fund to the State Capitol Building Repair and Maintenance fund which is hereby created for the maintenance of the State Capitol.”

Representative Ownbey moved to table the Reynolds amendment, which tabling motion was declared adopted upon roll call as follows:

Aye: Casey, Condit, Denney, DeWitt, Dorman, Enns, Glenn, Grau, Hardin, Hickman, Joyner, Kirby, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McDaniel (Jeannie), McNeil, Mulready, Ortega, Osborn, Ownbey, Peters, Quinn, Richardson, Roberts (Dustin), Rousselot, Sanders, Sears, Thomsen, Trebilcock, Vaughan, Watson, Wright, Mr. Speaker.--35.

Nay: Blackwell, Cannaday, Christian, Derby, Hamilton, Holland, Hoskin, Inman, Johnson, Kern, Kouplen, McDaniel (Curtis), McDaniel (Randy), McPeak, Moore, Morrissette, Murphey, Newell, Proctor, Pruett, Renegar, Reynolds, Ritze, Roberts (Sean), Scott, Shelton, Shoemake, Shumate, Stiles, Terrill, Virgin, Wesselhoft, Williams.--33.

Excused: Armes, Banz, Bennett, Billy, Brown, Brumbaugh, Cockroft, Coody, Cooksey, Cox, Dank, Faught, Fourkiller, Hall, Hilliard, Jackson, Jordan, Key, McCullough, Morgan, Nelson, Nollan, Peterson, Pittman, Roan, Russ, Schwartz, Shannon, Sherrer, Walker.--30.

Vacancy: District 23, District 71, District 88.--3.

Representative Peters moved to advance the bill.

Representative Terrill moved to table the Peters advancement motion, which tabling motion was declared adopted upon roll call as follows:

Aye: Banz, Bennett, Billy, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Cooksey, Denney, Derby, Dorman, Enns, Faught, Glenn, Hamilton, Hickman, Holland, Hoskin, Jackson, Johnson, Joyner, Kern, Kouplen, Lockhart, Martin (Scott), McDaniel (Curtis), McDaniel (Jeannie), McPeak, Morgan, Morrissette, Mulready, Murphey, Nollan, Ortega, Osborn, Proctor, Pruett, Quinn, Renegar, Reynolds, Ritze, Roberts (Sean), Russ, Schwartz, Scott, Shannon, Shelton, Sherrer, Shoemake, Shumate, Stiles, Terrill, Thomsen, Trebilcock, Vaughan, Wesselhoft, Williams.--59.

Nay: Armes, Coody, Cox, DeWitt, Grau, Hall, Hardin, Kirby, Liebmann, Martin (Steve), McDaniel (Randy), Moore, Nelson, Newell, Ownbey, Peters, Peterson, Richardson, Roan, Sanders, Sears, Wright, Mr. Speaker.--23.

Excused: Blackwell, Brown, Dank, Fourkiller, Hilliard, Inman, Jordan, Key, McCullough, McNiell, Pittman, Roberts (Dustin), Rousselot, Virgin, Walker, Watson.--16.

Vacancy: District 23, District 71, District 88.--3.

Representative Morrisette raised a point of order as to whether consideration of the emergency clause on **SB 1913** would be in violation of the Oklahoma Constitution.

The Presiding Officer referred to a previous ruling made on April 3, 2012, on the same question and stated that it was up to the House itself to decide whether to adopt the emergency clause and ruled the point not well taken.

Representative Morrisette appealed the ruling of the Presiding Officer receiving the required 15 seconds.

"The question is, shall the decision of the Presiding Officer be the decision of the House? All those in favor signify by voting 'Aye'; those opposed 'Nay'. The vote is now in progress."

The decision of the Presiding Officer was upheld upon roll call as follows:

Aye: Armes, Banz, Billy, Blackwell, Brumbaugh, Casey, Cockroft, Coody, Cooksey, Cox, Denney, Derby, DeWitt, Enns, Faught, Grau, Hall, Hardin, Hickman, Holland, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiell, Moore, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Quinn, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Schwartz, Sears, Shannon, Terrill, Trebilcock, Vaughan, Watson, Wesselhoft, Wright, Mr. Speaker.--58.

Nay: Cannaday, Christian, Condit, Fourkiller, Glenn, Hamilton, Hoskin, Inman, Kouplun, Lockhart, McDaniel (Curtis), McDaniel (Jeannie), McPeak, Morgan, Morrisette, Proctor, Pruett, Renegar, Reynolds, Ritze, Rousselot, Scott, Shelton, Sherrer, Shoemake, Shumate, Stiles, Virgin, Williams.--29.

Excused: Bennett, Brown, Dank, Dorman, Hilliard, Key, Pittman, Richardson, Roan, Thomsen, Walker.--11.

Vacancy: District 23, District 71, District 88.--3.

Representative Stiles raised a point of inquiry as to whether **SB 1913** was a revenue raising measure and constitutionally required to originate in the House rather than in the Senate.

The Presiding Officer stated that this is the exact same question posed by Representative Terrill yesterday and ruled the point not well taken.

Representative DeWitt requested that **SB 1913** be laid over.

Representative Reynolds raised a point of order stating that only the principal author of the measure is authorized to withdraw the bill from consideration.

The Presiding Officer stated that the principal author of a measure does have the authority to withdraw a measure from consideration and that the custom of the House is for the Majority Floor Leader to manage the business of the House Floor.

Upon request of Representative Ownbey, **SB 1913** was laid over.

RESOLUTION FOR CONSIDERATION

SCR 37 was called up for consideration.

Coauthored by Representative(s) Kouplen, Murphey, Condit, Armes, Casey, Dorman

Upon motion of Representative Denney, **SCR 37** was considered and adopted.

SCR 37 was properly signed, in open session, by the Presiding Officer and ordered returned to the Honorable Senate.

GENERAL ORDER

SB 1795 by David of the Senate and Cox of the House was read and considered.

Representative Cox moved that **SB 1795** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1795 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, Denney, Derby, DeWitt, Dorman, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Holland, Hoskin, Jackson, Johnson, Jordan, Joyner, Kern, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiell, McPeak, Moore, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Proctor, Pruett, Quinn, Renegar, Reynolds, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Shumate, Stiles, Terrill, Thomsen, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--88.

Excused: Dank, Enns, Hilliard, Inman, Key, Kirby, Morgan, Pittman, Richardson, Shannon.--10.

Vacancy: District 23, District 71, District 88.--3.

The measure passed.

SB 1795 was referred for engrossment.

POINT OF ORDER

Representative Reynolds raised a point of order stating that material had been improperly distributed on the House floor.

The Presiding Officer referenced House Rule 11.3(a) which requires literature or objects distributed on the House Floor during session to include the sponsoring member's name.

Representative Thomsen raised a point of inquiry as to whether the requirements of House Rule 11.3 were applicable to one or two items carried to the House Floor but not intended for distribution, to which inquiry the Presiding Officer responded in the negative.

GENERAL ORDER

SB 1943 by Anderson of the Senate and Armes of the House was read and considered.

Representative Armes moved that **SB 1943** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1943 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, Christian, Cockroft, Condit, Coody, Cox, Denney, Derby, DeWitt, Dorman, Enns, Faught, Fourkiller, Glenn, Grau, Hall, Hardin, Hickman, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Peters, Peterson, Proctor, Pruett, Quinn, Renegar, Reynolds, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Shumate, Terrill, Thomsen, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--83.

Nay: Hamilton, Lockhart, McDaniel (Curtis), McPeak, Morrissette.--5.

Excused: Cooksey, Dank, Hilliard, Key, Morgan, Ownbey, Pittman, Richardson, Shannon, Stiles.--10.

Vacancy: District 23, District 71, District 88.--3.

The measure and emergency passed.

SB 1943 was referred for engrossment.

MESSAGE FROM THE SENATE

Announcing the passage of **HBs 2225**, Coauthored by Senator Sparks, **2289** and **2564**.

The above-numbered measures were referred for enrollment.

FIRST READING

The following was introduced and read for the first time:

HJR 1120 – By Enns.

A Joint Resolution approving permanent rules of the Board of Chiropractic Examiners; 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:

SB 1215 – Government Modernization

DO PASS, As Amended:

CS for SB 1019 – Appropriations and Budget

CS for SB 1046 – Appropriations and Budget

CS for SB 1182 – Appropriations and Budget

CS for SB 1204 – Appropriations and Budget

CS for SB 1253 – Appropriations and Budget

CS for SB 1328 – Appropriations and Budget

CS for SB 1398 – Appropriations and Budget

CS for SB 1419 – Government Modernization

CS for SB 1465 – Appropriations and Budget, Coauthored by Representative(s)

Pittman

- CS for **SB 1511** – Appropriations and Budget
- CS for **SB 1523** – Appropriations and Budget
- CS for **SB 1537** – Appropriations and Budget
- CS for **SB 1554** – Appropriations and Budget
- CS for **SB 1565** – Appropriations and Budget, Coauthored by Representative(s) McDaniel (Jeannie), Nollan, Kern, Dorman
- CS for **SB 1582** – Appropriations and Budget
- CS for **SB 1624** – Appropriations and Budget
- CS for **SB 1714** – Appropriations and Budget
- CS for **SB 1796** – Appropriations and Budget
- CS for **SB 1797** – Appropriations and Budget
- CS for **SB 1816** – Appropriations and Budget, Remove Representative Kern as principal House author and substitute with Representative Quinn, and Coauthored by Representative(s) Kern
- CS for **SB 1820** – Appropriations and Budget
- CS for **SB 1862** – Appropriations and Budget
- CS for **SB 1865** – Appropriations and Budget
- CS for **SB 1879** – Appropriations and Budget
- CS for **SB 1935** – Appropriations and Budget

Representative DeWitt moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 1:30 p.m., Monday, April 16, 2012, which was the order.

Pursuant to the motion of Representative DeWitt, the House was adjourned at 11:40 a.m., to reconvene Monday, April 16, 2012, at 1:30 p.m.