

HOUSE JOURNAL

Second Regular Session of the Fifty-third Legislature

of the State of Oklahoma

Fifty-seventh Legislative Day, Tuesday, May 15, 2012

The House was called to order by Representative Denney.

The roll was called with 98 Members present.

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

Representative Denney declared a quorum present.

Prayer was offered by Reverend Sam Steele, The Federated Church, Kingfisher. Reverend Steele was sponsored by Representative Sanders.

Upon motion of Representative Thomsen, Reverend Steele was confirmed as House Chaplain for this legislative week.

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HB 3148 was reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

HBs 2230 and 3055 and HJR 1112 were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

HCR 1038 was reported correctly enrolled, properly signed, in open session, and ordered transmitted to the Honorable Senate.

RESOLUTION

The following was introduced and read:

HR 1059 – By Dorman.

A Resolution recognizing that many Oklahomans are afflicted with food allergies; commending restaurants that choose to disclose ingredients of food items on their menus or on a public display; and directing distribution.

MESSAGES FROM THE SENATE

Advising naming of Senate Conferees as follows:

SB 1040 - Marlatt, Branan, Crain, Schulz, Burrage, Paddack

SB 1102 - Anderson, Brown, Crain, Wilson, McAffrey, Branan

SB 1264 - GCCA

SB 1272 - Nichols, Crain, Fields, Sykes, Ivester, Burrage

SB 1280 - GCCA

SB 1420 - Shortey, Coates, Allen, Childers, Garrison, Sparks

SB 1618 - Brown, Stanislawski, Simpson, Paddack, Brecheen, Ballenger

SB 1644 - Marlatt, Barrington, Justice, Garrison, Brecheen, Wyrick

SB 1728 - Newberry, Johnson (Rob), Jolley, Nichols, Sparks, Ivester

SB 1868 - Newberry, Treat, Brinkley, Brecheen, Ivester, Laster

SB 1889 - Marlatt, Barrington, Treat, Adelson, Coates, Burrage

SB 1953 - Nichols, Sykes, Fields, Johnson (Rob), Burrage, Bass

Further conference granted

Advising further conference granted and naming same Senate conferees as follows:

HB 2921 - Brecheen, Fields, Ivester, Sykes, Ellis, Allen

Conferees changed

Advising changing Senate Conferees on the following:

SB 110 - Remove Myers, Branan, Fields, Halligan, Garrison, Burrage and Add Coates, Crain, Johnson (Rob), David, Burrage, Wilson

SB 397 - Remove Stanislawski, Brown, Crain, Sykes, Sparks, Ellis and Add Stanislawski, Brown, Fields, Allen, Burrage, Garrison

GENERAL ORDER

HJR 1113 by Nelson of the House was read and considered.

Authored by Senator Anderson (principal Senate author)

Representative Nelson moved that **HJR 1113** be advanced from General Order, which motion was declared adopted.

THIRD READING

HJR 1113 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Billy, Casey, Cockroft, Coody, Cooksey, Cox, Dank, Denney, DeWitt, Enns, Faught, Grau, Holland, Jordan, Joyner, Kern, Kirby, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiel, Moore, Mulready, Nelson, Newell, Nollan, Osborn, Ownbey, Peters, Peterson, Quinn, Richardson, Russ, Sanders, Sears, Shannon, Stiles, Thomsen, Vaughan, Walker, Watson, Wright, Mr. Speaker.--47.

Nay: Bennett, Blackwell, Brown, Brumbaugh, Cannaday, Christian, Condit, Derby, Dorman, Fourkiller, Glenn, Hall, Hardin, Hilliard, Hoskin, Inman, Jackson, Key, Kouplen, Lockhart, McDaniel (Curtis), McDaniel (Jeannie), McPeak, Morgan, Morrisette, Murphey, Pittman, Proctor, Pruett, Renegar, Reynolds, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Schwartz, Scott, Shelton, Sherrer, Shoemake, Shumate, Terrill, Trebilcock, Virgin, Wesselhoft, Williams.--46.

Excused: Hamilton, Hickman, Johnson, Ortega, Rousselot.--5.

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

The measure failed.

Representative Nelson served notice to reconsider the vote whereby **HJR 1113** failed.

MESSAGES FROM THE SENATE

Advising fourth reading of and transmitting for signature enrolled **SBs 1108, 1131 and 1865**.

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

Transmitting enrolled measures

Advising the signing of and transmitting for signature enrolled **SCRs 24 and 38**.

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

Returning enrolled measure

Announcing that enrolled **HCR 1038** has been signed by the Presiding Officer of Senate, in open session.

The above measure was ordered filed with the Secretary of State.

Returning enrolled measures

Announcing that enrolled **HBs 2230, 3055** and **HJR 1112** 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 measures

Announcing the passage of **HB 2192** and **HJR 1101**.

The above-numbered measures were referred for enrollment.

Conference requested

Advising rejection of **HAs** to **SB 1847** and requesting conference thereon, the Senate naming conferees later.

Concurrence in HAs

Announcing the concurrence of Senate in **HAs** to **SB 1196** and the passage of said measure, as amended thereby.

CONFERENCE GRANTED

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

- SB 110** – Conference Committee on Natural Resources
- SB 397** – Conference Committee on Insurance and Economic Development
- SB 1040** – Conference Committee on Natural Resources
- SB 1102** – Conference Committee on Insurance and Economic Development
- SB 1264** – GCCA
- SB 1272** – Conference Committee on Health and Human Services
- SB 1280** – GCCA
- SB 1309** – Conference Committee on Government Modernization and Rules
- SB 1618** – Conference Committee on Insurance and Economic Development
- SB 1644** – GCCA
- SB 1728** – Conference Committee on Public Safety, Judiciary and Military Affairs
- SB 1868** – GCCA
- SB 1889** – Conference Committee on Public Safety, Judiciary and Military Affairs
- SB 1953** – Conference Committee on Public Safety, Judiciary and Military Affairs

CCRs SUBMITTED

The conference committee reports were read on the following measures:

- HB 2390**
- HB 2391**
- HB 2684**
- HB 2689**
- HB 2921 (2nd)**, Coauthored by Representative(s) Bennett

FIRST READING

The following were introduced and read for the first time:

HB 3149 – By Sears and Martin (Scott) of the House and Jolley and Justice of the Senate.

An Act relating to the Oklahoma Health Care Authority; requiring budgeting in certain categories and amounts; providing for duties and compensation of employees; limiting salary of the Administrator; providing budgetary limitations; providing an effective date; and declaring an emergency.

HB 3150 – By Sears and Martin (Scott) of the House and Jolley and Justice of the Senate.

An Act relating to the Department of Mental Health and Substance Abuse Services; requiring budgeting in certain categories and amounts; providing for duties and compensation of employees; limiting salary of the Commissioner; providing budgetary limitations; providing an effective date; and declaring an emergency.

HB 3151 – By Sears and Martin (Scott) of the House and Jolley and Justice of the Senate.

An Act relating to the State Department of Health; requiring budgeting in certain categories and amounts; providing for duties and compensation of employees; limiting salary of the Commissioner; authorizing payment of certain expenses of Commissioner under certain conditions; specifying compliance with and providing for certain budgetary limitations; providing an effective date; and declaring an emergency.

HB 3152 – By Sears and Martin (Scott) of the House and Jolley and Justice of the Senate.

An Act relating to state government; amending 74 O.S. 2011, Section 3601.2, which relates to chief executive officer salaries; updating year; and providing an effective date.

HB 3153 – By Sears and Martin (Scott) of the House and Jolley and Justice of the Senate.

An Act relating to revenue and taxation; amending 68 O.S. 2011, Section 227, which relates to uniform tax procedure; clarifying reference; providing an effective date; and declaring an emergency.

HB 3154 – By Sears and Martin (Scott) of the House and Jolley and Justice of the Senate.

An Act relating to revenue and taxation; enacting the Tax Reform Act of 2012; providing for noncodification; providing an effective date; and declaring an emergency.

HB 3155 – By Sears and Martin (Scott) of the House and Jolley and Justice of the Senate.

An Act relating to the Capital and Capitol Building; amending 73 O.S. 2011, Section 22, which relates to defacement of the State Capitol Building; modifying agency references; and providing an effective date.

HB 3156 – By Sears and Martin (Scott) of the House and Jolley and Justice of the Senate.

An Act relating to the Capital and Capitol Building; amending 73 O.S. 2011, Section 22, which relates to defacement of the State Capitol Building; modifying agency references; and providing an effective date.

HB 3157 – By Sears and Martin (Scott) of the House and Jolley and Justice of the Senate.

An Act relating to the Oklahoma School of Science and Mathematics; making an appropriation to the Board of Trustees of the Oklahoma School of Science and Mathematics; stating purpose; requiring expenditure of certain sum for certain purpose; requiring budgeting in certain categories and amounts; requiring performance measures; making certain students eligible for certain programs; requiring budgeting of certain funds in certain years; providing lapse dates; requiring certain budget procedures; prohibiting certain budget procedures; and providing an effective date.

HB 3158 – By Sears and Martin (Scott) of the House and Jolley and Justice of the Senate.

An Act relating to the Oklahoma Center for the Advancement of Science and Technology; requiring budgeting in certain categories and amounts; requiring certain performance measures; providing for duties and compensation of employees; limiting salary of the Executive Director; providing budgetary limitations; and providing an effective date.

HB 3159 – By Sears and Martin (Scott) of the House and Jolley and Justice of the Senate.

An Act relating to the Department of Consumer Credit; amending 14A O.S. 2011, Section 6-303, which relates to fee apportionments; modifying references; providing an effective date; and declaring an emergency.

MESSAGE FROM THE GOVERNOR

Advising of her approval of **HBs 2250, 2511 and 2524** on May 15, 2012.

Representative DeWitt moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 10:00 a.m., Wednesday, May 16, 2012, which was the order.

Pursuant to the motion of Representative DeWitt, the House was adjourned at 10:40 a.m., to reconvene Wednesday, May 16, 2012, at 10:00 a.m.