HOUSE JOURNAL

Second Regular Session of the Fifty-third Legislature

of the State of Oklahoma

Eighth Legislative Day, Thursday, February 16, 2012

The House was called to order by Speaker Steele.

The roll was called with 97 Members present.

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

Vacancy: District 1, District 71.—2.

The Speaker declared a quorum present.

Prayer was offered by Minister Elwyn Rogers, First Assembly of God, Marlow. Minister Rogers was sponsored by Representative Watson.

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HBs 1910, 2192, 2494, 2519 and **HJR 1082** were reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

GENERAL ORDER

HB 2119 by Hickman of the House and Newberry of the Senate was read and considered.

Representative Hickman moved that **HB 2119** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2119 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Bennett, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Denney, Derby, DeWitt, Dorman, Enns, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Holland, Hoskin, Inman, Johnson, Jordan, Joyner, Kern, Key, 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, Proctor, Pruett, Quinn, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Sears, Shannon, Stiles, Terrill, Thomsen, Vaughan, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--82.

Nay: Shelton.--1.

Excused: Banz, Dank, Faught, Hilliard, Jackson, Kirby, Ortega, Pittman, Schwartz, Scott, Sherrer, Shoemake, Shumate, Tibbs, Trebilcock, Virgin.--16.

Vacancy: District 1, District 71.--2.

The measure passed.

HB 2119 was referred for engrossment.

RESOLUTION FOR CONSIDERATION

HCR 1020 was called up for consideration.

Authored by Senator Fields (principal Senate author)

Upon motion of Representative Wright, **HCR 1020** was considered and adopted.

HCR 1020 was referred for engrossment.

GENERAL ORDER

HB 2320 by McDaniel (Randy) et al of the House and Anderson of the Senate was read and considered.

Representative McDaniel (Randy) moved that **HB 2320** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2320 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, Denney, Derby, DeWitt, Dorman, Enns, Faught, Fourkiller, Glenn, Grau, Hall, Hardin, Hickman, 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, Shumate, Stiles, Terrill, Thomsen, Tibbs, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--93.

Nay: Hamilton.--1.

Excused: Christian, Dank, Hilliard, Ortega, Trebilcock.--5.

Vacancy: District 1, District 71.--2.

The measure and emergency passed.

HB 2320 was referred for engrossment.

MESSAGE FROM THE SENATE

Announcing the passage of **SBs 988** and **989**. The measures were introduced and read for the first time.

SB 988 – By Schulz, Barrington and Fields of the Senate and DeWitt of the House.

An Act relating to castor bean production; making it unlawful to produce castor beans; providing for penalties; providing for enforcement; providing for codification; and declaring an emergency.

SB 989 – By Schulz, Barrington and Fields of the Senate and DeWitt of the House.

An Act relating to castor bean transportation; prohibiting the transport of castor beans; providing for penalties; providing for enforcement; providing for codification; and declaring an emergency.

GENERAL ORDER

HB 2658 by Jordan of the House and Bingman of the Senate was read and considered.

Coauthored by Representative(s) Ritze

Representative Jordan moved that **HB 2658** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2658 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, Key, Kirby, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morgan, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Stiles, Terrill, Thomsen, Tibbs, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--94.

Excused: Dank, Hilliard, Kouplen, Quinn, Trebilcock.--5.

Vacancy: District 1, District 71.--2.

The measure and emergency passed.

HB 2658 was referred for engrossment.

GENERAL ORDER

HB 2655 by Jordan of the House and Crain of the Senate was read and considered.

Representative Jordan moved that **HB 2655** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2655 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, Enns, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morgan, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Stiles, Terrill, Thomsen, Tibbs, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--94.

Excused: Dank, Hilliard, Kouplen, Quinn, Trebilcock.--5.

Vacancy: District 1, District 71.--2.

The measure passed.

HB 2655 was referred for engrossment.

MESSAGE FROM THE SENATE

Advising rejection of **HAs** to **SB 138** and requesting conference thereon, the Senate naming conferees later.

GENERAL ORDER

HB 2656 by Jordan of the House and Crain of the Senate was read and considered.

Representative Jordan moved that **HB 2656** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2656 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, Denney, Derby, DeWitt, Dorman, Enns, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Holland, Hoskin, Inman,

Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morgan, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Stiles, Terrill, Thomsen, Tibbs, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--92.

Excused: Christian, Dank, Faught, Hilliard, Kouplen, Quinn, Trebilcock.--7.

Vacancy: District 1, District 71.--2.

The measure passed.

HB 2656 was referred for engrossment.

MEASURES REASSIGNED

The following measures were reassigned:

HB 2686 – Withdrawn from Rules and referred to Economic Development, Tourism and Financial Services.
HB 3071 – Withdrawn from Appropriations and Budget and referred to Rules.
HB 3072 – Withdrawn from Appropriations and Budget and referred to Rules.

MOTION

Representative Ortega asked that the Journal reflect that had he been present in the Chamber, he would have voted aye on **HB 2320**, which was the order.

ENGROSSED AND ENROLLED MEASURE

HB 2658 was reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

RESOLUTION

The following was introduced and read:

HR 1042 – By Wesselhoft.
A Resolution encouraging the display of Veterans Remembered flag.

FIRST READING

The following was introduced and read for the first time:

HJR 1095 – By Peters.
A Joint Resolution disapproving permanent rule of the State Board of Health; 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:

HB 2204 – Economic Development, Tourism and Financial Services, Coauthored by Representative(s) McNiel, Russ, and Authored by Senator Newberry (principal Senate author)
HB 2310 – General Government, Authored by Senator Treat (principal Senate author)
HB 2319 – Economic Development, Tourism and Financial Services, Authored by Senator Anderson (principal Senate author)
HB 2324 – Appropriations and Budget, Authored by Senator Treat (principal Senate author)
HB 2330 – General Government, Authored by Senator Brown (principal Senate author)
HB 2371 – Government Modernization, Authored by Senator Ballenger (principal Senate author)
HB 2373 – General Government, Authored by Senator Ballenger (principal Senate author)
HB 2499 – General Government, Authored by Senator Treat (principal Senate author)
HB 2558 – Appropriations and Budget, Authored by Senator Stanislawski (principal Senate author)
HB 2562 – Appropriations and Budget
HB 2619 – Government Modernization, Authored by Senator Treat (principal Senate author)
HB 2787 – Economic Development, Tourism and Financial Services, Authored by Senator Fields (principal Senate author)
HB 2984 – Appropriations and Budget
HB 3042 – General Government, Authored by Senator Barrington (principal Senate author)
HB 3043 – Economic Development, Tourism and Financial Services, Coauthored by Representative(s) Faught, and Authored by Senator Brown (principal Senate author)

DO PASS, As Amended:

CS for **HB 1204** – Economic Development, Tourism and Financial Services
CS for **HB 2280** – General Government, Authored by Senator Ballenger (principal Senate author)
CS for **HB 2281** – General Government, Authored by Senator Ballenger (principal Senate author)
HB 2288 – Appropriations and Budget, Coauthored by Representative(s) Roberts (Dustin)
CS for **HB 2346** – Economic Development, Tourism and Financial Services
CS for **HB 2443** – Higher Education and Career Tech, Authored by Senator Fields (principal Senate author)
CS for **HB 2446** – Economic Development, Tourism and Financial Services, Authored by Senator Brinkley (principal Senate author)
HB 2491 – Appropriations and Budget, Coauthored by Representative(s) Condit, and Authored by Senator Fields (principal Senate author)
CS for **HB 2502** – Energy and Utility Regulation, Authored by Senator David (principal Senate author)
CS for **HB 2503** – Energy and Utility Regulation, Authored by Senator David (principal Senate author)
CS for **HB 2517** – Rules, Authored by Senator Halligan (principal Senate author)
CS for **HB 2563** – General Government, Coauthored by Representative(s) Billy
CS for **HB 2596** – Rules, Authored by Senator Fields (principal Senate author)
CS for **HB 2698** – Rules, Authored by Senator Lerblance (principal Senate author)
HB 2751 – Appropriations and Budget, Authored by Senator Brown (principal Senate author)
CS for **HB 2762** – Higher Education and Career Tech, Authored by Senator Jolley (principal Senate author)
CS for **HB 2883** – Economic Development, Tourism and Financial Services
CS for **HB 2974** – Rules
CS for **HB 3000** – Common Education, Coauthored by Representative(s) Kern, and Authored by Senator Brecheen (principal Senate author)
HB 3008 – Appropriations and Budget
CS for **HJR 1091** – Rules, Authored by Senator Anderson (principal Senate author)

REMARKS

Upon unanimous consent request of Representative Watson, Minister Rogers' remarks were printed in full as follows:

"I want to express my thanks to Representative Watson and you the House members for the opportunity to be the House Chaplain this week. I count it an honor to have been here with you.

Statisticians tell us that more and more people are thinking less and less of the Bible as an authority for faith and life. With that in mind, is it any wonder that as a nation we are in

the shape we're in spiritually, morally and socially? I can't help but ask, what has brought us to this point, where the Word of God once held in high esteem, has become now nothing more than a history book at best and a collection of folk stories and fables at worst. Sad, but true, for even many Christians it's nothing more than a religious accessory. I'm sure there are many reasons that could be cited for this disregard for the Word of God. I'm convinced that the increased indoctrination of humanism, the lack of emphasis on and adherence to the authority of God's word within the American home and the failure of the Church to emphasize the relevance of God's Word to life have contributed to this problem. Up until recently the Bible was considered by most to be verbally inspired by God and to be the revelation of God to man, the infallible, authoritative rule for faith and life. However, it appears that's no longer the case. Yet, the truth still remains we are all influenced and guided by something. The psalmist, David, chose to be influenced and guided by God's Word. He wrote, 'Your word is a lamp to my feet and a light for my path.' The symbolism is obvious; God's Word is like a torch to a man in a dark night. It shows him the way. It prevents him from stumbling. It safeguards him from precipices along the way. It keeps him from wandering off the right path. If we will make God's Word a lamp unto our feet and a light unto our path, we will see and be able to better address the divergences among us and we will better discern the obstructions and pitfalls which lie in our way. God's Word will give us both specific and general guidance for faith and life.

Life is too full of perils for us to trust our own insight and ability to navigate through it. Yet, in light of and under the authority of God's Word, we can safely and securely pass through this life. Let us as leaders always remember that God's Word is relevant at all times, to all men.

May God's favor be upon you today!"

Representative DeWitt moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 1:30 p.m., Monday, February 20, 2012, which was the order.

Pursuant to the motion of Representative DeWitt, the House was adjourned at 10:45 a.m., to reconvene Monday, February 20, 2012, at 1:30 p.m.