

HOUSE JOURNAL

First Regular Session of the Fifty-fourth Legislature

of the State of Oklahoma

Thirty-fourth Legislative Day, Tuesday, April 2, 2013

The House was called to order by Representative Quinn.

The roll was called with 99 Members present.

The following Members were excused: Cooksey, Roberts (Sean)—2.

Representative Quinn declared a quorum present.

Prayer was offered by Senior Pastor Derrek Belase, Highland Park United Methodist Church, Stillwater. Pastor Belase was sponsored by Representative Williams.

Upon motion of Representative Cockroft, Pastor Belase 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 1030 and 1034 were reported correctly engrossed, properly signed, in open session, and the measures, as amended, were ordered returned to the Honorable Senate.

SECOND READING

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

SJR 35 – Appropriations and Budget

RESOLUTION FOR CONSIDERATION

HR 1010 was called up for consideration.

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

Upon motion of Representative DeWitt, **HR 1010** was considered and adopted.

HR 1010 was referred for enrollment.

GENERAL ORDER

SB 207 by Ford of the Senate and Coody of the House was read and considered.

Representative Coody moved that **SB 207** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 207 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Armes, Banz, Biggs, Billy, Brumbaugh, Casey, Christian, Cockroft, Condit, Coody, Cox, Dank, Denney, Derby, DeWitt, Echols, Floyd, Grau, Hall, Hardin, Henke, Hickman, Hulbert, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Martin (Scott), Martin (Steve), Matthews, McBride, McCall, McDaniel (Jeannie), McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Roberts (Dustin), Rousselot, Russ, Sanders, Schwartz, Sears, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--75.

Nay: Bennett, Brown, Cannaday, Cleveland, Dorman, Fourkiller, Glenn, Hoskin, Inman, Lockhart, McCullough, McPeak, Morrisette, Shelton, Williams.--15.

Excused: Blackwell, Cooksey, Enns, Fisher, Hamilton, Kouplen, McDaniel (Curtis), Ritze, Roberts (Sean), Scott, Trebilcock.--11.

The measure and emergency passed.

The Presiding Officer signed, in open session, Engrossed **SB 207** and ordered same returned to the Honorable Senate.

GENERAL ORDER

SB 244 by Jolley of the Senate and Coody of the House was read and considered.

Representative Coody moved that **SB 244** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 244 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Billy, Brumbaugh, Casey, Christian, Coody, Cox, Dank, Denney, DeWitt, Enns, Grau, Hall, Hardin, Hickman, Jackson, Kern, Kirby, McBride, McCall, McDaniel (Randy), Moore, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Roberts (Dustin), Russ, Sanders, Smalley, Vaughan, Wesselhoft, Wood, Wright, Mr. Speaker.--40.

Nay: Bennett, Biggs, Brown, Cannaday, Cleveland, Cockroft, Condit, Derby, Dorman, Echols, Floyd, Fourkiller, Glenn, Henke, Hoskin, Hulbert, Inman, Johnson, Jordan, Joyner, Lockhart, Martin (Scott), Martin (Steve), Matthews, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McNiel, McPeak, Morrissette, O'Donnell, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Rousselot, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Stiles, Thomsen, Turner, Virgin, Walker, Watson.--52.

Excused: Blackwell, Cooksey, Fisher, Hamilton, Kouplén, Ritze, Roberts (Sean), Trebilcock, Williams.--9.

The measure failed.

Representative Coody served notice to reconsider the vote whereby **SB 244** failed.

GENERAL ORDER

SB 355 by Anderson et al of the Senate and McCullough of the House was read and considered.

Representative McCullough moved that **SB 355** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 355 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Biggs, Billy, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Dank, Denney, Derby, DeWitt, Echols, Enns, Floyd, Fourkiller, Grau, Hall, Hardin, Henke, Hickman, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Lockhart, Martin (Scott), Martin (Steve), Matthews, McBride, McCall, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Roberts (Dustin), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--85.

Nay: Hamilton, Morrissette.--2.

Excused: Blackwell, Cleveland, Cooksey, Cox, Dorman, Fisher, Glenn, Kouplen, McDaniel (Curtis), Ortega, Reynolds, Ritze, Roberts (Sean), Trebilcock.--14.

The measure passed.

SB 355 was referred for engrossment.

GENERAL ORDER

SB 413 by Schulz of the Senate and DeWitt of the House was read and considered.

Representative DeWitt moved that **SB 413** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 413 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, Biggs, Billy, Brown, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cox, Denney, Derby, DeWitt, Dorman, Echols, Enns, Floyd, Glenn, Hardin, Henke, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Lockhart, Martin (Scott), Martin (Steve), Matthews, McBride, McCall, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Roberts (Dustin), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley,

Stiles, Thomsen, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--86.

Excused: Blackwell, Cooksey, Dank, Fisher, Fourkiller, Grau, Hall, Hamilton, Hickman, Kouplen, McDaniel (Curtis), Ortega, Ritze, Roberts (Sean), Trebilcock.--15.

The measure and emergency passed.

The Presiding Officer signed, in open session, Engrossed **SB 413** and ordered same returned to the Honorable Senate.

GENERAL ORDER

SB 251 by Garrison of the Senate and Hulbert of the House was read and considered.

Representative Hulbert moved that **SB 251** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 251 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, Biggs, Billy, Brown, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cox, Denney, Derby, DeWitt, Dorman, Echols, Enns, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Henke, Hickman, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Lockhart, Martin (Scott), Martin (Steve), Matthews, McBride, McCall, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Roberts (Dustin), Rousselot, Russ, Sanders, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--90.

Excused: Blackwell, Cooksey, Dank, Fisher, Kouplen, McDaniel (Curtis), Ortega, Ritze, Roberts (Sean), Schwartz, Trebilcock.--11.

The measure and emergency passed.

The Presiding Officer signed, in open session, Engrossed **SB 251** and ordered same returned to the Honorable Senate.

GENERAL ORDER

SB 489 by Simpson et al of the Senate and McNiel of the House was read and considered.

Representative McNiel moved that **SB 489** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 489 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, Biggs, Billy, Brown, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Enns, Floyd, Fourkiller, Glenn, Grau, Hall, Hardin, Henke, Hickman, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Lockhart, Martin (Scott), Martin (Steve), Matthews, McBride, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morrisette, Mulready, Nelson, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Roberts (Dustin), Rousselot, Sanders, Schwartz, Scott, Sears, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Turner, Vaughan, Virgin, Walker, Watson, Williams, Wright, Mr. Speaker.--85.

Nay: Hamilton, McCall, Murphey, Newell, Russ, Shelton, Wesselhoft, Wood.--8.

Excused: Blackwell, Cooksey, Fisher, Kouplen, McDaniel (Curtis), Ritze, Roberts (Sean), Trebilcock.--8.

The measure and emergency passed.

The Presiding Officer signed, in open session, Engrossed **SB 489** and ordered same returned to the Honorable Senate.

GENERAL ORDER

SB 33 by Justice et al of the Senate and Armes of the House was read and considered.

Representative Armes moved that **SB 33** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 33 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Biggs, Billy, Brown, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Enns, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Henke, Hickman, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Martin (Scott), Martin (Steve), Matthews, McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morrisette, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Roberts (Dustin), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--91.

Excused: Blackwell, Cooksey, Fisher, Kouplén, Lockhart, Ritze, Roberts (Sean), Thomsen, Trebilcock, Williams.--10.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 33** and ordered same returned to the Honorable Senate.

GENERAL ORDER

SB 450 by Anderson et al of the Senate and Grau of the House was read and considered.

Representative Grau moved that **SB 450** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 450 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Biggs, Billy, Brown, Brumbaugh, Cannaday, Christian, Cleveland, Cockroft, Condit, Coody, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Enns, Floyd, Fourkiller, Glenn, Grau, Hall, Hardin, Henke, Hickman, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Lockhart, Martin (Scott), Martin (Steve), Matthews, McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Roberts (Dustin), Rousselot, Russ, Sanders, Schwartz, Scott,

Sears, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--88.

Nay: Hamilton, McPeak, Morrissette, Shelton, Williams.--5.

Excused: Blackwell, Casey, Cooksey, Fisher, Kouplen, Ritze, Roberts (Sean), Trebilcock.--8.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 450** and ordered same returned to the Honorable Senate.

MEASURE REREFERRED

Upon motion of Representative Osborn, **SB 942** was withdrawn from the Calendar and rereferred to the Judiciary Committee.

FIRST READING

The following was introduced and read for the first time:

HJR 1050 – By Russ.

A Joint Resolution disapproving promulgated rules of the Department of Environmental Quality; and directing distribution.

RESOLUTIONS

The following were introduced and read:

HCR 1009 – By Cleveland and Fisher of the House and Standridge of the Senate.

A Concurrent Resolution reaffirming the definition of marriage as the union of one man and one woman and urging the United States Supreme Court to uphold the Defense of Marriage Act and the right of states to regulate marriage.

HR 1012 – By Christian.

A Resolution honoring the life of Captain Rodrick “Pete” Lee Norwood, Jr.; mourning his passing; and directing distribution.

MESSAGES FROM THE SENATE

Advising fourth reading of and transmitting for signature Enrolled **SBs 170, 199, 817, 977 and 1096**.

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

Transmitting enrolled measure

Advising the signing of and transmitting for signature Enrolled **SCR 14**.

The above-numbered enrolled measure was properly signed and ordered returned to the Honorable Senate.

Transmitting engrossed measures

Announcing the passage of **SCRs 17 and 18**.

The measures were introduced and read.

SCR 17 – By Sharp, Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (Constance), Johnson (Rob), Jolley, Justice, Loveless, Marlatt, Mazzei, McAffrey, Newberry, Paddack, Schulz, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick of the Senate and Wood of the House.

A Concurrent Resolution congratulating the Oklahoma Baptist University men's and women's swimming and diving teams, 2013 NAIA National Champions; acknowledging their outstanding accomplishments and hard work; and directing distribution.

SCR 18 – By Sharp, Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (Constance), Johnson (Rob), Jolley, Justice, Loveless, Marlatt, Mazzei, McAffrey, Newberry, Paddack, Schulz, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick of the Senate and Wood of the House.

A Concurrent Resolution congratulating the Oklahoma Baptist University men's and women's indoor and outdoor track teams, 2013 NAIA National Champions; acknowledging their record-breaking performance; 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 587 – Long-term Care and Senior Services, Coauthored by Senator(s) Coates

SB 592 – Long-term Care and Senior Services

SB 915 – Long-term Care and Senior Services, Coauthored by Senator(s) Ivester, Brecheen

SB 937 – Public Health, Coauthored by Senator(s) Griffin

SB 970 – Public Health

SB 975 – Public Health, Coauthored by Representative(s) Pittman

DO PASS, As Amended:

CS for SB 197 – Public Safety, Coauthored by Representative(s) Ritze

CS for SB 460 – Human Services

SB 584 – Transportation

CS for SB 639 – Human Services, Coauthored by Senator(s) Johnson (Constance), Allen

CS for SB 700 – Insurance

CS for SB 779 – Utility and Environmental Regulation

CS for SB 886 – Public Safety

CS for SB 887 – Human Services

SB 900 – Long-term Care and Senior Services

Representative Peterson moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 1:30 p.m., Wednesday, April 3, 2013, which was the order.

Pursuant to the motion of Representative Peterson, the House was adjourned at 10:50 a.m., to reconvene Wednesday, April 3, 2013, at 1:30 p.m.