

HOUSE JOURNAL

First Regular Session of the Fifty-fourth Legislature

of the State of Oklahoma

Fifty-fifth Legislative Day, Wednesday, May 8, 2013

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

The roll was called with 99 Members present.

The following Members were excused: Renegar, Virgin—2.

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Pastor Doug Melton, Southern Hills Baptist Church, Oklahoma City. Pastor Melton was sponsored by Representative Reynolds.

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HJRs 1048, 1051, 1053, 1054, 1058 and **HCR**s 1012 and 1014 were reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

HBs 1361, 1759, 2072, 2077 and 2188 were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

HCR 1015 was reported correctly enrolled, properly signed, in open session, and ordered transmitted to the Honorable Senate.

FIRST READING

The following was introduced and read for the first time:

HJR 1071 – By McDaniel (Jeannie).

A Joint Resolution approving permanent rules of the State Board of Licensed Social Workers; and directing distribution.

RESOLUTIONS

The following were introduced and read:

HCR 1018 – By Sherrer.

A Concurrent Resolution relating to the Joint Rules of the 54th Oklahoma Legislature; proposing amendment to Joint Rule No. 4.9, which relates to procedures of the Joint Committee on Appropriations and Budget; proposing amendment to Joint Rule 4.13, which relates to consideration of Joint Committee Reports.

HR 1026 – By Cannaday

A Resolution declaring May to be Ehlers-Danlos Syndrome Awareness Month; and directing distribution.

RESOLUTION FOR CONSIDERATION

HR 1018 was called up for consideration.

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

Upon motion of Representative Denney, **HR 1018** was considered and adopted.

HR 1018 was referred for enrollment.

Representative Armes Presiding**PENDING CONSIDERATION OF SAs**

SAs to HB 1416 were rejected upon motion of Representative Hall. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to HB 2264 were rejected upon motion of Representative Trebilcock. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to HB 2187 were rejected upon motion of Representative Joyner. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to HB 1107 were called up for consideration.

Upon motion of Representative Mulready, the House concurred in the **SAs to HB 1107**.

HB 1107, as amended by the Honorable Senate, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Armes, Banz, Bennett, Biggs, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Enns, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Henke, Hoskin, Hulbert, Inman, Jackson, Johnson, Joyner, Kern, Kirby, Lockhart, Martin (Scott), Matthews, McBride, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, Moore, Morrisette, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--87.

Excused: Christian, Cleveland, Hickman, Jordan, Kouplen, Martin (Steve), McCall, McPeak, Renegar, Reynolds, Smalley, Virgin, Walker, Williams.--14.

The measure passed.

Senate amendments were properly signed, in open session, and the above-numbered measure was referred for enrollment.

GENERAL ORDER

HJR 1063 by Hulbert of the House was read and considered.

Authored by Senator Griffin (principal Senate author)

Representative Hulbert moved that **HJR 1063** be advanced from General Order, which motion was declared adopted.

THIRD READING

HJR 1063 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Biggs, Billy, Brown, Brumbaugh, Cannaday, Casey, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Enns, Fisher, Floyd, Fourkiller, Grau, Hall, Hamilton, Hardin, Henke, Hoskin, Hulbert, Inman, Jackson, Johnson, Joyner, Kern, Kirby, Lockhart, Martin (Scott), Martin (Steve), Matthews, McBride, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Reynolds, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Stiles, Trebilcock, Turner, Vaughan, Walker, Watson, Wesselhoft, Wood, Mr. Speaker.--86.

Excused: Bennett, Blackwell, Christian, Glenn, Hickman, Jordan, Kouplén, McCall, Morrisette, Renegar, Smalley, Thomsen, Virgin, Williams, Wright.--15.

The measure passed.

HJR 1063 was referred for engrossment.

GENERAL ORDER

HJR 1064 by Hulbert of the House was read and considered.

Authored by Senator Griffin (principal Senate author)

Representative Hulbert moved that **HJR 1064** be advanced from General Order, which motion was declared adopted.

THIRD READING

HJR 1064 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, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Enns, Fisher, Floyd, Glenn, Grau, Hall, Hamilton, Hardin, Henke, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kouplén, Lockhart, Martin (Scott), Martin (Steve), McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morrisette, Mulready, Murphey, Nelson, Newell, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Quinn, Reynolds, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz,

Scott, Sears, Sherrer, Shoemake, Stiles, Thomsen, Trebilcock, Turner, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--87.

Excused: Blackwell, Christian, Fourkiller, Hickman, Kirby, Matthews, Nollan, Pruett, Renegar, Shelton, Smalley, Vaughan, Virgin, Williams.--14.

The measure passed.

HJR 1064 was referred for engrossment.

GENERAL ORDER

HJR 1065 by Hulbert of the House was read and considered.

Authored by Senator Griffin (principal Senate author)

Representative Hulbert moved that **HJR 1065** be advanced from General Order, which motion was declared adopted.

THIRD READING

HJR 1065 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, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Enns, Fisher, Floyd, Glenn, Grau, Hall, Hamilton, Hardin, Henke, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Martin (Steve), Matthews, McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Mulready, Murphey, Nelson, Newell, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Reynolds, Ritze, Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Trebilcock, Turner, Vaughan, Walker, Watson, Wesselhoft, Wood, Mr. Speaker.--89.

Excused: Blackwell, Christian, Fourkiller, Hickman, Morrissette, Nollan, Renegar, Roberts (Dustin), Thomsen, Virgin, Williams, Wright.--12.

The measure passed.

HJR 1065 was referred for engrossment.

PENDING CONSIDERATION OF SAs

SAs to HB 2048 were called up for consideration.

Upon motion of Representative Jackson, the House concurred in the **SAs to HB 2048**.

HB 2048, as amended by the Honorable Senate, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Banz, Biggs, Billy, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Enns, Fisher, Floyd, Grau, Hall, Henke, Hulbert, Inman, Jackson, Johnson, Joyner, Kirby, Lockhart, Martin (Scott), Martin (Steve), Matthews, McBride, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Mulready, Murphey, Nelson, Newell, Ortega, Osborn, Ownbey, Perryman, Pittman, Proctor, Pruett, Roberts (Sean), Russ, Sanders, Schwartz, Sears, Sherrer, Shoemake, Stiles, Trebilcock, Turner, Vaughan, Walker, Watson, Wesselhoft, Wright, Mr. Speaker.--70.

Nay: Armes, Bennett, Fourkiller, Hamilton, Hardin, Hickman, Hoskin, Kern, Kouplen, McCall, Morrisette, Nollan, O'Donnell, Peterson, Quinn, Reynolds, Ritze, Roberts (Dustin), Rousselot, Scott, Shelton, Smalley, Thomsen, Wood.--24.

Excused: Blackwell, Brown, Glenn, Jordan, Renegar, Virgin, Williams.--7.

The measure passed.

Senate amendments were properly signed, in open session, and the above-numbered measure was referred for enrollment.

MESSAGES FROM THE SENATE

Advising fourth reading of and transmitting for signature Enrolled **SBs 97, 283, 332, 402, 406, 498, 655, 678, 708, 759, 780** and **864**.

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

Conference granted

Advising conference granted and the Senate naming conferees as follows:

HB 2182 - Marlatt, Treat, David, Justice, Ballenger, Sparks

PENDING CONSIDERATION OF SAs

SAs to HB 1242 were called up for consideration.

Upon motion of Representative Martin (Steve), the House concurred in the **SAs to HB 1242** upon a division of the question.

HB 1242, as amended by the Honorable Senate, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Armes, Banz, Biggs, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, Dorman, Echols, Enns, Floyd, Fourkiller, Glenn, Hall, Henke, Hickman, Hulbert, Inman, Johnson, Jordan, Joyner, Kern, Kirby, Lockhart, Martin (Steve), Matthews, McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, Mulready, Murphey, Nelson, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Roberts (Dustin), Rousselot, Russ, Sanders, Schwartz, Scott, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Walker, Watson, Wesselhoft, Williams, Wood, Mr. Speaker.--78.

Nay: Bennett, Fisher, Hamilton, Hardin, Kouplun, McPeak, Moore, Quinn, Reynolds, Ritze, Roberts (Sean), Shelton.--12.

Excused: DeWitt, Grau, Hoskin, Jackson, Martin (Scott), Morrissette, Newell, Renegar, Sears, Virgin, Wright.--11.

The measure passed.

Senate amendments were properly signed, in open session, and the above-numbered measure was referred for enrollment.

PENDING CONSIDERATION OF SAs

SAs to HB 1313 were called up for consideration.

Coauthored by Representative(s) Nelson

Upon motion of Representative Enns, the House concurred in the **SAs to HB 1313** upon a division of the question.

HB 1313, as amended by the Honorable Senate, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Armes, Banz, Bennett, Billy, Brumbaugh, Christian, Cleveland, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Echols, Enns, Fisher, Grau, Hall, Hickman, Johnson, Joyner, Kern, McBride, McCullough, McDaniel (Randy), McNiel, Moore, Murphey, Nelson, Ortega, Osborn, Ownbey, Peterson, Reynolds, Ritze, Roberts (Dustin),

Roberts (Sean), Russ, Sanders, Schwartz, Stiles, Turner, Vaughan, Wesselhoft, Williams, Wright, Mr. Speaker.--48.

Nay: Brown, Cannaday, Casey, Cockroft, Condit, Dorman, Floyd, Fourkiller, Glenn, Hamilton, Henke, Hoskin, Hulbert, Inman, Jackson, Jordan, Kouplen, Lockhart, Martin (Steve), Matthews, McCall, McDaniel (Curtis), McDaniel (Jeannie), McPeak, Morrissette, Mulready, Nollan, O'Donnell, Perryman, Proctor, Pruett, Quinn, Rousselot, Scott, Sears, Shelton, Sherrer, Smalley, Thomsen, Trebilcock, Walker, Watson, Wood.--43.

Excused: Biggs, Blackwell, Hardin, Kirby, Martin (Scott), Newell, Pittman, Renegar, Shoemake, Virgin.--10.

The measure failed.

Representative Enns served notice to reconsider the vote whereby **HB 1313** failed.

PENDING CONSIDERATION OF SAs

SAs to HB 1512 were called up for consideration.

Upon motion of Representative Mulready, the House concurred in the **SAs to HB 1512**.

HB 1512, as amended by the Honorable Senate, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Armes, Banz, Billy, Brown, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Echols, Enns, Grau, Hall, Hamilton, Henke, Hulbert, Jackson, Johnson, Joyner, Kern, Kirby, Martin (Steve), McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Randy), McNiel, McPeak, Moore, Mulready, Murphey, Nelson, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Proctor, Pruett, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shoemake, Smalley, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--72.

Nay: Bennett, Dorman, Fisher, Floyd, Glenn, Hoskin, Lockhart, Matthews, McDaniel (Jeannie), Morrissette, Quinn, Reynolds, Ritze, Shelton, Sherrer, Williams.--16.

Excused: Biggs, Blackwell, Fourkiller, Hardin, Hickman, Inman, Jordan, Kouplen, Martin (Scott), Newell, Pittman, Renegar, Virgin.--13.

The measure passed.

Senate amendments were properly signed, in open session, and the above-numbered measure was referred for enrollment.

Rejection of SAs rescinded

Representative Nelson moved to rescind the rejection of SAs to **HB 1264** and request for conference, which motion was declared adopted.

MESSAGES FROM THE SENATE

Announcing the concurrence of Senate in **HAs** to **SBs 294, 233** and **422** and the passage of said measures, as amended thereby.

Returning enrolled measures

Announcing that Enrolled **HBs 1361, 1759, 2072, 2077** and **2188** 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.

Announcing that Enrolled **HCR 1015** has been signed by the Presiding Officer of Senate, in open session.

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

Conferees named

Advising naming Senate Conferees as follows:

SB 900 - Standridge, Crain, Treat, David, Paddack, Burrage

SB 1013 - Shortey, Newberry, Treat, Allen, Paddack, Shumate

SB 1030 - Sykes, Jolley, Standridge, Ford, Burrage, Sparks

Conference granted

Advising conference granted and the Senate naming conferees as follows:

HB 1516 - Brecheen, Barrington, Brown, Anderson, Johnson (Constance), Ellis

HB 1594 - Brecheen, Coates, Brown, Fields, Wyrick, Ellis

HB 2194 - Marlatt, Branan, Simpson, Barrington, Paddack, Wyrick

HB 2226 - Griffin, Brown, Bass, Loveless, Brooks, Sparks

CONFEREES NAMED

The Speaker named the following conferees:

- HB 1419** – Conference Committee on Public Health
- HB 2187** – Conference Committee on Transportation
- HB 2231** – Conference Committee on Government Modernization
- HB 2264** – Conference Committee on Energy and Aerospace

CONFERENCE GRANTED

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

- SB 164** – Conference Committee on Transportation
- SB 519** – Conference Committee on Judiciary
- SB 559** – Conference Committee on Common Education
- SB 582** – Conference Committee on Judiciary
- SB 641** – Conference Committee on Agriculture and Wildlife
- SB 788** – Conference Committee on Economic Development and Financial Services
- SB 789** – Conference Committee on Economic Development and Financial Services
- SB 900** – Conference Committee on Long-term Care and Senior Services
- SB 1013** – Conference Committee on Judiciary
- SB 1022** – Conference Committee on Economic Development and Financial Services
- SB 1102** – Conference Committee on Economic Development and Financial Services
- SB 1103** – Conference Committee on Economic Development and Financial Services
- SB 1118** – Conference Committee on Economic Development and Financial Services

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed on the Calendar unless otherwise indicated:

DO PASS:

- HJR 1067** – Administrative Rules, Government Oversight and Repealer
- HJR 1068** – Administrative Rules, Government Oversight and Repealer
- HJR 1069** – Administrative Rules, Government Oversight and Repealer
- HJR 1070** – Administrative Rules, Government Oversight and Repealer

DO PASS, As Amended:

- CS for HB 2301** – Joint Committee on Appropriations and Budget
- CS for HJR 1049** – Administrative Rules, Government Oversight and Repealer

REPORT FROM CALENDAR COMMITTEE

The Calendar Committee met on Wednesday, May 8, 2013, and approved the following measures with an Open Rule to be placed on the Floor Agenda: **HB 1364** and **HR 1024**. The following measure was approved with an Open Rule, Fiscal Analysis required, to be placed on the Floor Agenda: **HB 2301**.

Representative Peterson moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 9:00 a.m., Thursday, May 9, 2013, which was the order.

Pursuant to the motion of Representative Peterson, the House was adjourned at 2:55 p.m., to reconvene Thursday, May 9, 2013, at 9:00 a.m.