

# HOUSE JOURNAL

**First Regular Session of the Fifty-fourth Legislature**

**of the State of Oklahoma**

**Fifty-sixth Legislative Day, Thursday, May 9, 2013**

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

The roll was called with 101 Members present.

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 1063, 1064 and 1065** were reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

**HBs 1107, 1242, 1512 and 2048** were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

**HR 1018** was reported correctly enrolled, properly signed, in open session, and ordered transmitted to the Secretary of State.

## **SECOND READING**

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

**HJR 1071** – Administrative Rules, Government Oversight and Repealer

**PENDING CONSIDERATION OF SAs**

**SAs to HB 1762** were called up for consideration.

Upon motion of Representative Hardin, the House concurred in the **SAs to HB 1762**.

**HB 1762**, 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, Blackwell, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hardin, Hickman, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Martin (Steve), Matthews, McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McNiel, McPeak, Moore, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Ritze, Roberts (Sean), Rousselot, Russ, Sanders, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Thomsen, Turner, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--87.

Excused: Biggs, Billy, Brown, Enns, Hamilton, Henke, McDaniel (Randy), Roberts (Dustin), Schwartz, Stiles, Trebilcock, Vaughan, Virgin, Wood.--14.

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 1984** were called up for consideration.

Upon motion of Representative Brumbaugh, the House concurred in the **SAs to HB 1984**.

**HB 1984**, 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, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hardin, Hickman, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Martin (Scott), Martin (Steve), Matthews, McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, Moore, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Ritze, Roberts (Sean), Rousselot, Russ, Sanders,

Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Thomsen, Turner, Vaughan, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--88.

Nay: Lockhart, McPeak.--2.

Excused: Billy, Condit, Enns, Hamilton, Henke, Roberts (Dustin), Schwartz, Stiles, Trebilcock, Virgin, Wood.--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 1990** were called up for consideration.

Upon motion of Representative Brumbaugh, the House concurred in the **SAs to HB 1990**.

**HB 1990**, 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, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Enns, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hardin, Hickman, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Martin (Steve), McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Roberts (Sean), Rousselot, Russ, Sanders, Sears, Sherrer, Shoemake, Smalley, Thomsen, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wright, Mr. Speaker.--83.

Nay: Matthews, McPeak, Morrissette, Reynolds, Ritze, Scott, Shelton, Williams.--8.

Excused: Hamilton, Henke, Hoskin, O'Donnell, Renegar, Roberts (Dustin), Schwartz, Stiles, Trebilcock, Wood.--10.

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 1364** were called up for consideration.

Upon motion of Representative Kirby, the House concurred in the **SAs to HB 1364**.

**HB 1364**, 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, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Enns, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hardin, Henke, Hickman, 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, Morrisette, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Ritze, Roberts (Sean), Rousselot, Russ, Sanders, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Thomsen, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--95.

Excused: Hamilton, Roberts (Dustin), Schwartz, Stiles, Trebilcock, Wood.--6.

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 2015** were called up for consideration.

Coauthored by Representative(s) Kern

Coauthored by Senator Johnson (Constance)

Upon motion of Representative Roberts (Sean), the House concurred in the **SAs to HB 2015**.

**HB 2015**, 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, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Dorman, Echols, Enns, Fisher, Grau, Hall, Hardin, Henke, Hickman, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Martin (Steve), McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Randy), McNiel,

Moore, Mulready, Murphey, Nelson, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Proctor, Quinn, Renegar, Reynolds, Ritze, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Sears, Shoemake, Smalley, Stiles, Turner, Vaughan, Walker, Watson, Wesselhoft, Wright, Mr. Speaker.--77.

Nay: Cox, Floyd, Matthews, McDaniel (Jeannie), McPeak, Pittman, Pruet, Rousselot, Scott, Shelton, Sherrer, Virgin, Williams.--13.

Excused: Brown, Fourkiller, Glenn, Hamilton, Hoskin, Morrissette, Newell, Schwartz, Thomsen, Trebilcock, Wood.--11.

The measure passed.

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

#### **MESSAGE FROM THE SENATE**

Advising fourth reading of and transmitting for signature Enrolled **SBs 233, 294** and **422**.

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

#### **GENERAL ORDER**

**HJR 1046** by Jordan of the House was read and considered.

Authored by Senator Newberry (principal Senate author)

Representative Jordan moved that **HJR 1046** be advanced from General Order, which motion was declared adopted.

#### **THIRD READING**

**HJR 1046** 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, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Enns, Fisher, Floyd, Fourkiller, Hall, Hardin, Henke, 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, Morrissette, Mulready, Murphey, Nelson, O'Donnell, Osborn, Perryman, Peterson, Pittman, Proctor, Pruet, Quinn, Renegar,

Reynolds, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Shelton, Sherrer, Shoemake, Smalley, Stiles, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--87.

Excused: Blackwell, Glenn, Grau, Hamilton, Hickman, Hoskin, Newell, Nollan, Ortega, Ownbey, Sears, Thomsen, Trebilcock, Wood.--14.

The measure passed.

**HJR 1046** was referred for engrossment.

### **PENDING CONSIDERATION OF SAs**

**SAs to HB 1830** were called up for consideration.

Upon motion of Representative Armes, the House concurred in the **SAs to HB 1830**.

**HB 1830**, 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, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Enns, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hardin, Henke, Hickman, Hulbert, Inman, Jackson, Johnson, Joyner, Kern, Kouplen, Lockhart, 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, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--94.

Nay: Reynolds.--1.

Excused: Hamilton, Hoskin, Jordan, Kirby, Trebilcock, Wood.--6.

The measure passed.

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

## **GENERAL ORDER**

**HJR 1057** by Schwartz of the House was read and considered.

Authored by Senator Treat (principal Senate author)

Representative Schwartz moved that **HJR 1057** be advanced from General Order, which motion was declared adopted.

## **THIRD READING**

**HJR 1057** 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, Blackwell, Brumbaugh, Cannaday, Casey, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Echols, Enns, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hardin, Henke, Hickman, Hoskin, Hulbert, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Martin (Scott), Martin (Steve), McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNeil, McPeak, Moore, Mulready, Murphey, Nelson, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Peterson, Pittman, Pruett, Quinn, Renegar, Reynolds, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Sherrer, Shoemake, Smalley, Stiles, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wright, Mr. Speaker.--85.

Nay: Dorman, Inman, Lockhart, Matthews, Morrissette, Perryman, Proctor, Shelton.--8.

Excused: Brown, Christian, Hamilton, Newell, Thomsen, Trebilcock, Williams, Wood.--8.

The measure passed.

**HJR 1057** was referred for engrossment.

## **PENDING CONSIDERATION OF SAs**

**SAs to HB 1684** were called up for consideration.

Upon motion of Representative Blackwell, the House concurred in the **SAs to HB 1684**.

**HB 1684**, 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, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Enns, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Henke, Hickman, 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, Morrisette, Mulready, Nelson, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--92.

Nay: Bennett, Cleveland, Hardin, Murphey.--4.

Excused: Hamilton, Newell, Thomsen, Trebilcock, Wood.--5.

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 1686** were called up for consideration.

Upon motion of Representative Blackwell, the House concurred in the **SAs to HB 1686**.

**HB 1686**, 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, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Enns, Fisher, Floyd, Glenn, Grau, Hall, Hardin, Henke, Hickman, Hoskin, Hulbert, Inman, Johnson, Jordan, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Martin (Steve), Matthews, McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), Moore, Morrisette, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--90.

Excused: Fourkiller, Hamilton, Jackson, Joyner, McNiel, McPeak, Mulready, Osborn, Thomsen, Trebilcock, Wood.--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 1687** were called up for consideration.

Upon motion of Representative Blackwell, the House concurred in the **SAs to HB 1687**.

**HB 1687**, 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, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, DeWitt, Dorman, Echols, Enns, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Henke, Hickman, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Martin (Steve), Matthews, McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McNiel, McPeak, Moore, Morrissette, Mulready, Nelson, Newell, Nollan, Ortega, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--87.

Nay: Bennett, Cleveland, Derby, Hardin, McDaniel (Randy), Murphey, O'Donnell, Reynolds.--8.

Excused: Armes, Hamilton, Osborn, Ownbey, Trebilcock, Wood.--6.

The measure passed.

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

#### **MOTION**

Representative Peterson moved the House stand in recess until 12:30 p.m., which was the order.

**Speaker Pro Tempore Jackson Presiding****MESSAGES FROM THE SENATE**

Announcing that Enrolled **HBs 1107, 1242, 1512 and 2048** 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.

**Conference granted**

Advising conference granted and the Senate naming conferees as follows:

**HB 1886** - Sparks, Newberry, Allen, Fields, Brecheen, Shumate

**Concurrence in HAs**

Announcing the concurrence of Senate in **HAs to SBs 285, 692 and 917** and the passage of said measures, as amended thereby.

**GENERAL ORDER**

**HJR 1056** by Armes of the House and Anderson of the Senate was read and considered.

Representative Armes moved that **HJR 1056** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**HJR 1056** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Biggs, Blackwell, Brown, Cannaday, Casey, Christian, Coody, Cooksey, Dank, Denney, DeWitt, Dorman, Enns, Floyd, Glenn, Grau, Hall, Henke, Hickman, Hulbert, Jackson, Johnson, Jordan, Joyner, Kirby, Martin (Scott), Martin (Steve), McCall, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiell, Mulready, Nollan, Peterson, Pruett, Quinn, Roberts (Dustin), Roberts (Sean), Russ, Schwartz, Sears, Shoemake, Thomsen, Vaughan, Walker, Watson, Wright, Mr. Speaker.--52.

Nay: Brumbaugh, Cleveland, Cockroft, Condit, Echols, Fisher, Fourkiller, Hamilton, Hardin, Hoskin, Inman, Kern, Kouplen, Lockhart, Matthews, McBride, McCullough, McPeak, Moore, Morrisette, Murphey, Nelson, Newell, O'Donnell, Perryman, Pittman, Proctor, Renegar, Reynolds, Rousselot, Scott, Sherrer, Smalley, Stiles, Trebilcock, Turner, Virgin, Williams, Wood.--39.

Excused: Billy, Cox, Derby, Ortega, Osborn, Ownbey, Ritze, Shelton, Wesselhoft.--9.

Constitutional Priv: Sanders.--1.

The measure passed.

**HJR 1056** was referred for engrossment.

## **GENERAL ORDER**

**HJR 1062** by Blackwell of the House was read and considered.

Authored by Senator Bass (principal Senate author)

Representative Blackwell moved that **HJR 1062** be advanced from General Order, which motion was declared adopted.

## **THIRD READING**

**HJR 1062** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Biggs, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Denney, DeWitt, Dorman, Echols, Enns, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Henke, Hickman, 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, Morrissette, Mulready, Nelson, Nollan, O'Donnell, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Virgin, Walker, Watson, Wood, Wright, Mr. Speaker.--89.

Nay: Bennett, Dank, Murphey, Newell, Williams.--5.

Excused: Billy, Cox, Derby, Ortega, Reynolds, Ritze, Wesselhoft.--7.

The measure passed.

**HJR 1062** was referred for engrossment.

**GENERAL ORDER**

**HB 2301** by Martin (Scott) et al of the House and Jolley et al of the Senate was read and considered.

Coauthored by Representative(s) McCullough

Representative Martin (Scott) moved adoption of the Joint Committee Report on **HB 2301**.

Representative Brown moved to reject the Joint Committee Report on **HB 2301**, return the measure to the Joint Committee on Appropriations and Budget Committee with instructions as follows:

“SECTION 1. Appropriate to the State Board of Education from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 2014, the sum of One Billion Thirty-six Million Six Hundred Seventy-two Thousand Eight Hundred Seventy-six Dollars (\$1,036,672,876.00) or so much thereof as may be necessary for the financial support of public schools.

SECTION 25. There is hereby appropriated to the Oklahoma State Regents for Higher Education from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 2014, the sum of Eight Hundred Thirty Million Three Hundred Seventy-three Thousand Eight Hundred Fifty-two Dollars (\$830,373,852.00) or so much thereof as may be necessary for allocation by the Oklahoma State Regents for Higher Education pursuant to the provisions of Article XIII-A of the Oklahoma Constitution for the education and general operating budgets of the institutions and for other programs, construction, renovations or repairs administered by the Oklahoma State Regents for Higher Education. Of those funds appropriated, the sum of Three Million Eight Hundred Thirty Thousand Thirty-eight Dollars (\$3,830,038.00) shall be transferred to the Oklahoma Tuition Equalization Grant Trust Fund to implement the provisions of the Oklahoma Tuition Equalization Grant Act.

SECTION 44. There is hereby appropriated to the Legislative Service Bureau from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 2012, the sum of Four Million Eight Hundred Ninety-two Thousand Eight Hundred Thirty-five Dollars (\$4,892,835.00) or so much thereof as may be necessary to perform the duties imposed upon the Legislative Service Bureau by law.

SECTION 46. There is hereby appropriated to the Office of Management and Enterprise Services from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 2014, the sum of Twenty-one Million One Hundred Seventy-nine Thousand One Hundred Eighty-six Dollars (\$21,179,186.00) or so much thereof as may be necessary to perform the duties imposed upon the Office of Management and Enterprise Services by law.

Strike Section 59 in its entirety.

SECTION 69. There is hereby appropriated to the Oklahoma Department of Veterans Affairs from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 2014, the sum of Thirty-six Million Four Hundred Forty-eight Thousand Seven Hundred Fifty-two Dollars (\$36,448,752.00) or so

much thereof as may be necessary to perform the duties imposed upon the Oklahoma Department of Veterans Affairs by law.

SECTION 80. There is hereby appropriated to the Oklahoma Department of Commerce from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 2014, the sum of Twenty-two Million Seven Hundred Eighty-eight Thousand Eight Hundred Fifty-eight Dollars (\$22,788,858.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Department of Commerce by law.

SECTION 89. There is hereby appropriated to the Insurance Department from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 2014, the sum of One Million Six Hundred Fifty-five Thousand Nine Hundred Thirty-seven Dollars (\$1,655,937.00) or so much thereof as may be necessary to perform the duties imposed upon the Insurance Department by law.

SECTION 102. There is hereby appropriated to the Department of Corrections from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 2014, the sum of Four Hundred Forty-three Million Seven Hundred Forty-three Thousand Two Hundred Sixty-eight Dollars (\$443,743,268.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Corrections by law.

SECTION 110. There is hereby appropriated to the Department of Public Safety from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 2014, the sum of Ninety-seven Million Seven Hundred Sixteen Thousand Seven Hundred Ninety Dollars (\$97,716,790.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Public Safety by law.

SECTION 131. There is hereby appropriated to the Maintenance of State Buildings Revolving Fund from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury, the sum of Eight Million One Hundred Eleven Thousand Three Hundred Ninety-two Dollars (\$8,111,392.00) or so much thereof as may be necessary for maintaining and repairing state-owned properties and buildings.

SECTION 141. There is hereby appropriated Twenty-two Million Three Hundred Thousand Dollars (\$22,300,000.00) to provide to all Oklahoma State Employees a one-time bonus of One Thousand Dollars each.

Create a new Section 143 to redirect to the General Revenue Fund Fifty Million Dollars (\$50,000,000.00) previously dedicated to repayment of a moratorium on oil and gas tax credit incentives.

And renumber subsequent sections.”

The Presiding Officer stated that the ranking motion pending before the House was the motion to adopt the Joint Committee Report on **HB 2301** and did not recognize Representative Brown for the motion to reject with instructions.

Representative Brown moved to suspend House Rule 10.1 for the purpose of allowing consideration of his motion prior to consideration of the Martin (Scott) motion to adopt the Joint Committee Report, which motion failed of adoption upon roll call as follows:

Aye: Brown, Cannaday, Condit, Dorman, Floyd, Fourkiller, Glenn, Hamilton, Hoskin, Inman, Kouplen, Lockhart, Matthews, McDaniel (Curtis), McDaniel (Jeannie), McPeak, Morrissette, Perryman, Pittman, Proctor, Pruett, Renegar, Rousselot, Scott, Shelton, Sherrer, Shoemake, Virgin, Williams.--29.

Nay: Armes, Banz, Biggs, Billy, Blackwell, Brumbaugh, Casey, Christian, Cockroft, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Echols, Enns, Fisher, Hall, Hardin, Henke, Hickman, Hulbert, Jackson, Johnson, Joyner, Kern, Kirby, Martin (Scott), McBride, McCall, McCullough, McDaniel (Randy), Moore, Mulready, Murphey, Nelson, Newell, Nollan, Osborn, Ownbey, Peterson, Quinn, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Schwartz, Sears, Smalley, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--61.

Excused: Bennett, Cleveland, Cox, Grau, Jordan, Martin (Steve), McNiel, O'Donnell, Ortega, Reynolds, Ritze.--11.

Representative Morrissette raised a point of inquiry as to whether the fiscal summary provided with the Joint Committee Report on **HB 2301** was appropriate under House Rules, to which the Presiding Officer referenced *House Precedent 7.11-4* (2009) and stated that a fiscal summary was not required because the fiscal impact of an appropriations measure is plain on its face.

Representative Morrissette offered a motion to reject the JCR and return it to the Joint Committee on Appropriations and Budget, which motion was ruled dilatory and as such not recognized.

Representative Morrissette 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, Bennett, Biggs, Blackwell, Brumbaugh, Casey, Christian, Cleveland, Cockroft, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Echols, Fisher, Grau, Hall, Hardin, Henke, Hickman, Hulbert, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Martin (Scott), Martin (Steve), McBride, McCall, McCullough, McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Newell, Nollan, O'Donnell, Osborn, Ownbey, Peterson, Quinn, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Schwartz, Sears, Smalley, Stiles, Thomsen, Trebilcock, Vaughan, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--64.

Nay: Brown, Cannaday, Condit, Floyd, Fourkiller, Glenn, Hamilton, Hoskin, Inman, Kouplen, Lockhart, Matthews, McDaniel (Curtis), McDaniel (Jeannie), McPeak, Morrisette, Perryman, Proctor, Pruett, Renegar, Rousselot, Scott, Shelton, Sherrer, Shoemake, Virgin, Williams.--27.

Excused: Billy, Cox, Dorman, Enns, Nelson, Ortega, Pittman, Reynolds, Ritze, Turner.--10.

Representative Martin (Scott) pressed his motion to adopt the Joint Committee Report on **HB 2301**.

Representative Reynolds moved to extend the debate time to one (1) hour per side.

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

Aye: Armes, Banz, Biggs, Brumbaugh, Cannaday, Casey, Cockroft, Condit, Coody, Cox, Denney, Derby, DeWitt, Echols, Grau, Hall, Hamilton, Henke, Hulbert, Jackson, Johnson, Jordan, Joyner, Kirby, Martin (Steve), McBride, McCall, McCullough, McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Newell, Nollan, O'Donnell, Osborn, Ownbey, Peterson, Pruett, Quinn, Roberts (Dustin), Sanders, Schwartz, Sears, Smalley, Stiles, Turner, Watson, Wood, Wright, Mr. Speaker.--52.

Nay: Bennett, Brown, Cleveland, Dank, Dorman, Enns, Floyd, Glenn, Hardin, Hickman, Hoskin, Inman, Kouplen, Lockhart, Martin (Scott), Matthews, McDaniel (Curtis), McDaniel (Jeannie), McPeak, Morrisette, Nelson, Proctor, Renegar, Reynolds, Roberts (Sean), Rousselot, Scott, Shelton, Sherrer, Shoemake, Virgin, Williams.--32.

Excused: Billy, Blackwell, Christian, Cooksey, Fisher, Fourkiller, Kern, Ortega, Perryman, Pittman, Ritze, Russ, Thomsen, Trebilcock, Vaughan, Walker, Wesselhoft.--17.

Representative Martin (Scott) pressed his motion, which motion was declared adopted upon roll call as follows:

Aye: Armes, Biggs, Blackwell, Brumbaugh, Casey, Christian, Cleveland, Cockroft, Coody, Cooksey, Cox, Denney, Derby, DeWitt, Echols, Grau, Hall, Henke, Hickman, Hulbert, Jackson, Johnson, Jordan, Joyner, Kirby, Martin (Scott), Martin (Steve), McBride, McCall, McCullough, McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Peterson, Quinn, Roberts (Dustin), Russ, Sanders, Schwartz, Sears, Smalley, Stiles, Thomsen, Trebilcock, Vaughan, Walker, Watson, Wood, Wright, Mr. Speaker.--59.

Nay: Banz, Bennett, Billy, Brown, Cannaday, Condit, Dank, Dorman, Enns, Fisher, Floyd, Glenn, Hamilton, Hardin, Hoskin, Inman, Kern, Kouplen, Lockhart, Matthews, McDaniel (Curtis), McDaniel (Jeannie), McPeak, Morrisette, Perryman, Pittman, Proctor, Pruett, Renegar, Reynolds, Roberts (Sean), Rousselot, Scott, Shelton, Sherrer, Shoemake, Turner, Virgin, Wesselhoft, Williams.--40.

Excused: Fourkiller, Ritze.--2.

Representative Martin (Scott) moved that **HB 2301** be advanced from General Order, which motion was declared adopted.

### **THIRD READING**

**HB 2301** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Biggs, Blackwell, Brumbaugh, Casey, Christian, Cleveland, Cockroft, Coody, Cooksey, Cox, Denney, Derby, DeWitt, Echols, Grau, Hall, Henke, Hickman, Hulbert, Jackson, Johnson, Jordan, Joyner, Kirby, Martin (Scott), Martin (Steve), McBride, McCall, McCullough, McDaniel (Randy), McNiell, Moore, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Peterson, Quinn, Roberts (Dustin), Russ, Sanders, Schwartz, Sears, Smalley, Stiles, Thomsen, Trebilcock, Vaughan, Walker, Watson, Wood, Wright, Mr. Speaker.--59.

Nay: Banz, Bennett, Billy, Brown, Cannaday, Condit, Dank, Dorman, Enns, Fisher, Floyd, Glenn, Hamilton, Hardin, Hoskin, Inman, Kern, Kouplen, Lockhart, Matthews, McDaniel (Curtis), McDaniel (Jeannie), McPeak, Morrissette, Perryman, Pittman, Proctor, Pruett, Renegar, Reynolds, Roberts (Sean), Rousselot, Scott, Shelton, Sherrer, Shoemake, Turner, Virgin, Wesselhoft, Williams.--40.

Excused: Fourkiller, Ritze.--2.

The measure passed.

**HB 2301** was referred for engrossment.

### **POINT OF ORDER**

Representative Inman raised a point of order that a member who did not appear to be in the House Chamber was recorded as voting on **HB 2301**.

### **PENDING CONSIDERATION OF SAs**

Representative Blackwell moved to reject the **SAs** to **HB 1695**, to which objection was heard.

Representative Blackwell pressed his motion.

Representative Williams moved that the vote on the Blackwell motion be conducted by a verbal roll call vote, which motion failed of adoption upon roll call as follows:

Aye: Brown, Cannaday, Condit, Dorman, Floyd, Hamilton, Hoskin, Inman, Kirby, Kouplén, Lockhart, McDaniel (Curtis), McDaniel (Jeannie), Morrissette, Perryman, Pittman, Proctor, Pruett, Renegar, Reynolds, Rousselot, Scott, Shelton, Sherrer, Shoemake, Virgin, Williams.--27.

Nay: Armes, Banz, Bennett, Billy, Blackwell, Brumbaugh, Casey, Christian, Cockroft, Coody, Cooksey, Cox, Denney, Enns, Fisher, Grau, Hall, Henke, Jackson, Johnson, Jordan, Joyner, Kern, Martin (Scott), Martin (Steve), McBride, McCullough, McDaniel (Randy), McNiél, Moore, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peterson, Quinn, Roberts (Dustin), Roberts (Sean), Russ, Schwartz, Sears, Smalley, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--57.

Excused: Biggs, Cleveland, Dank, Derby, DeWitt, Echols, Fourkiller, Glenn, Hardin, Hickman, Hulbert, Matthews, McCall, McPeak, O'Donnell, Ritze, Sanders.--17.

The Blackwell motion to reject the **SAs** to **HB 1695** was adopted upon roll call as follows:

Aye: Armes, Banz, Bennett, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Denney, Dorman, Echols, Enns, Fisher, Floyd, Grau, Hall, Hardin, Henke, Hickman, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Lockhart, Martin (Scott), Martin (Steve), McBride, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiél, Moore, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Roberts (Dustin), Roberts (Sean), Russ, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Virgin, Walker, Watson, Wood, Wright, Mr. Speaker.--79.

Nay: Hamilton, McDaniel (Curtis), Morrissette, Rousselot, Williams.--5.

Excused: Biggs, Cleveland, Dank, Derby, DeWitt, Fourkiller, Glenn, Hulbert, Kouplén, Matthews, McCall, McPeak, O'Donnell, Reynolds, Ritze, Sanders, Wesselhoft.--17.

The Speaker named the following conferees:

**HB 1695** – Conference Committee on Administrative Rules, Government Oversight and Repealer

**MOTION**

Representative Morrisette moved Call of the House pursuant to House Rule 10.5, which motion was ruled out of order by the Presiding Officer because items of new business must be scheduled through the Majority Floor Leader.

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, Bennett, Billy, Blackwell, Brumbaugh, Casey, Christian, Cleveland, Cockroft, Coody, Cooksey, Cox, Echols, Enns, Fisher, Hall, Hardin, Henke, Hickman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Martin (Scott), Martin (Steve), McBride, McCullough, McDaniel (Randy), Moore, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Ownbey, Peterson, Quinn, Roberts (Dustin), Russ, Sanders, Schwartz, Sears, Smalley, Thomsen, Trebilcock, Turner, Vaughan, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--57.

Nay: Brown, Cannaday, Condit, Floyd, Hamilton, Hoskin, Inman, Kouplén, Lockhart, McDaniel (Curtis), McDaniel (Jeannie), Morrisette, Perryman, Pittman, Proctor, Pruet, Renegar, Rousselot, Scott, Shelton, Sherrer, Shoemake, Virgin, Williams.--24.

Excused: Biggs, Dank, Denney, Derby, DeWitt, Dorman, Fourkiller, Glenn, Grau, Hulbert, Matthews, McCall, McNiel, McPeak, O'Donnell, Osborn, Reynolds, Ritze, Roberts (Sean), Stiles.--20.

**POINT OF ORDER**

Representative Inman raised a point of order as to what action would be taken pursuant to House Rule 9.6(f), to which the Presiding Officer responded that the matter would be taken under consideration.

**MOTION**

Representative Morrisette moved Call of the House, receiving the required 15 seconds, which motion failed of adoption upon roll call as follows:

Aye: Brown, Cannaday, Condit, Floyd, Hamilton, Hoskin, Hulbert, Inman, Kern, Kouplén, Lockhart, McDaniel (Curtis), McDaniel (Jeannie), Morrisette, Perryman, Proctor, Pruet, Renegar, Rousselot, Scott, Sherrer, Shoemake, Virgin, Williams.--24.

Nay: Armes, Banz, Bennett, Biggs, Billy, Blackwell, Brumbaugh, Casey, Christian, Cleveland, Cockroft, Coody, Cooksey, Cox, Echols, Enns, Fisher, Grau, Hall, Hardin, Henke, Jackson, Johnson, Jordan, Joyner, Martin (Scott), Martin (Steve), McBride, McCullough, McDaniel (Randy), Moore, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Ownbey, Peterson, Quinn, Roberts (Dustin), Roberts (Sean), Russ, Schwartz, Sears, Smalley, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--57.

Excused: Dank, Denney, Derby, DeWitt, Dorman, Fourkiller, Glenn, Hickman, Kirby, Matthews, McCall, McNiel, McPeak, O'Donnell, Osborn, Pittman, Reynolds, Ritze, Sanders, Shelton.--20.

### **ENGROSSED AND ENROLLED MEASURE**

**HB 2301** was reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

### **CONFERENCE GRANTED**

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

**SB 1053** – Conference Committee on Economic Development and Financial Services

Representative Peterson moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 1:30 p.m., Monday, May 13, 2013, which was the order.

Pursuant to the motion of Representative Peterson, the House was adjourned at 5:00 p.m., to reconvene Monday, May 13, 2013, at 1:30 p.m.